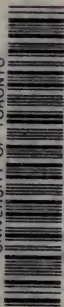


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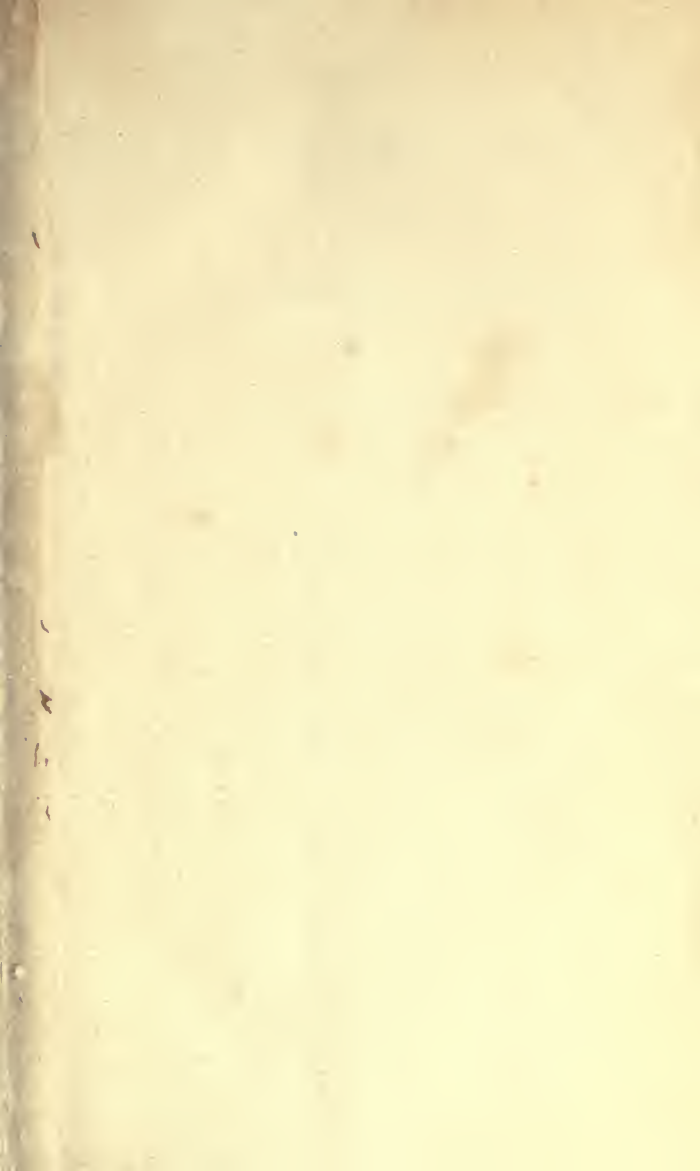
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THE  
**POLITICAL TEXT BOOK;**

COMPRISING A VIEW OF THE  
ORIGIN AND OBJECTS OF GOVERNMENT,  
AND

**An Examination**  
OF THE  
PRINCIPAL SOCIAL AND POLITICAL INSTITUTIONS  
OF ENGLAND.

*Compiled from the best Authorities.*

---

BY WILLIAM CARPENTER.

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“The vices and virtues of a state are the effects of its  
legislation.”—HELVETIUS.

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LONDON :  
WILLIAM STRANGE, 21, PATERNOSTER ROW.

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## ADVERTISEMENT.

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THE title page and table of contents will sufficiently explain the nature and objects of this little work. The great struggle between the dominant few and the oppressed many is now commenced in right earnest ; and the period of its duration, as well as the success of its final issue, are wholly dependant upon the kind and extent of popular knowledge. To emancipate society from its multifarious evils, we must distinctly trace out the causes in which they take their rise. An enlightened conviction of these would cut short the controversy which has been carried on for ages between the two great classes into which society is divided, and secure to the producers the management of their own affairs, and the enjoyment of the fruits of their own industry. THE POLITICAL TEXT BOOK has been compiled with a view to this object, and it is presumed that he who will make himself familiar with the principles and facts embodied in its pages, will be fitted to contribute in no small degree towards the regeneration of society, and the happiness of mankind.



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THE  
POLITICAL TEXT BOOK.

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PART I.  
OF SOCIETY AND GOVERNMENT.

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CHAPTER I.  
THE ORIGIN AND OBJECTS OF SOCIETY.

THE principal aim of society is to protect individuals in the enjoyment of those absolute rights which were vested in them by the immutable laws of nature; but which could not be preserved in peace without that mutual assistance and intercourse which is gained by the institution of friendly and social communities. Hence it follows, that the first and primary end of human laws is to maintain and regulate these *absolute* rights of individuals. Such rights as are social and *relative*, result from, and are posterior to, the formation of states and societies: so that to maintain and regulate these is clearly a subsequent consideration. And therefore the principal view of human laws is, or ought always to be, to explain, protect, and enforce such rights as are absolute, which in themselves are few and simple; and then such rights as are relative, which, arising from a variety of connexions, will be far more numerous and complicated.—*Blackstone.*

Some writers have so confounded society with government, as to leave little or no distinction between them: whereas, they are not only different, but have different origins. Society is produced by our wants, and government by our wickedness; the former promotes our happiness *positively*, by uniting our affections: the latter,

*negatively*, by restraining our vices. The one encourages intercourse, the other creates distinctions. The first is a patron; the last a punisher. Society, in every state, is a blessing; but government, even in its best state, is but a necessary evil; in its worst state, an intolerable one.—*Paine.*

Let us suppose a small number of persons settled in some sequestered part of the earth, unconnected with the rest; they will then represent the first peopling of any country, or of the world. In this state of natural liberty, society will be their first thought. A thousand motives will excite them thereto; the strength of one man is so unequal to his wants, and his mind so unfitted for perpetual solitude, that he is soon obliged to seek assistance and relief of another, who in his turn requires the same. Four or five united, would be able to raise a tolerable dwelling in the midst of a wilderness: but *one* man might labour out the common period of his life without accomplishing any thing; when he felled his timber he could not remove it, nor erect it after it was removed; hunger in the mean time would urge him from his work, and every different want call him a different way. Disease, nay, even misfortune, would be death; for though neither might be mortal, yet either would disable him from living, and reduce him to a state in which he might be rather said to perish than to die. Thus, necessity, like a gravitation power, would soon form our newly arrived emigrants into society, the reciprocal blessings of which would supersede and render the obligations of Law and Government unnecessary, while they remained perfectly just to each other.—*Idem.*

Political arrangement is more or less perfect, in proportion as it enables us to exert our natural liberty to the greatest advantage; if it is directed to any other purpose, it is made the instrument of gratifying the passions of a few; if it imposes greater restraint than its object prescribes, it degenerates into tyranny and oppression.—*Robert Hall.*

The interest of the community is merely the interest of the individuals who compose it. No law, nor act, nor government, can be for the advantage of the community, which has not a tendency to augment the happiness of the individual members of the community, in a greater degree than to diminish it.—*Anon.*



The rights of men, in a state of society, extend to the doing every thing which is not injurious to another.—*Anon.*

Political society is founded in the principles of morality and justice. It is impossible for intellectual beings to be brought into coalition and intercourse without a certain mode of conduct, adapted to their nature and connection, immediately becoming a duty on the parties concerned. Men would never have associated, if they had not imagined that in consequence of that association they would mutually conduce to the advantage and happiness of each other. This is the real purpose, the genuine basis, of their intercourse; and as far as this purpose is answered, so far does society answer the end of its institution.—*Godwin.*

When, by virtue of the first laws, part of the society accumulated wealth and grew powerful, they enacted others more severe, and would protect their property at the expense of humanity. This was abusing their power, and commencing a tyranny. If a savage, before he entered into society, had been told, "Your neighbour by this means may become owner of a hundred deer; but if your brother, or your son, or yourself, having no deer of your own, and being hungry, should kill one, an infamous death must be the consequence," he would probably have preferred his liberty, and his common right of killing any deer, to all the advantages of society that might be proposed to him.—*Franklin.*

In a state of nature, it is an invariable law, that a man's acquisitions are in proportion to his labours. In a state of artificial society, it is a law as constant and invariable, that those who labour most, enjoy the fewest things; and that those who labour not at all, have the greatest number of enjoyments. A constitution of things this, strange and ridiculous beyond expression. We scarcely believe a thing when we are told it, which we actually see before our eyes every day without being the least surprised.—*Burke.*

The science of society consists of four divisions—1st. the production of all things necessary for the happiness of man; 2nd. the distribution of these things; 3rd. the formation of the character of every individual; and 4th. the government, foreign and domestic. To understand the science, these parts must be known separately and unitedly.

1. *Of Production.* In all societies of men, a certain portion of their powers must be applied to create what they consume and use; such as food, clothes, dwellings, furniture, &c. This is called production; and whenever the power of production shall be rightly directed, to create the best things in the best manner, for the general benefit, then it may be said that this power is applied scientifically.

2. *Of Distribution.* By distribution is meant the arrangements applied to convey to, and divide among, all the members of society, the various articles of wealth produced for the use and enjoyment of the population. When these arrangements shall be effected in such a manner as to secure the least loss of labour to the whole community, this department may be said to be scientifically performed. At present, the wealth produced by society is distributed in the worst possible manner. Probably, the waste of capital and labour in this department, is forty to one more than is necessary.

3. *Of the formation of character.* By this is meant the arrangement of circumstances of human formation, which, acting upon each individual, form the character of the population, from infancy to maturity. When these arrangements are all devised to produce proper impressions and superior dispositions, habits, manners, knowledge, and conduct, in every individual, so as to form them into rational beings—that is, that they shall always act and think rationally—then it may be said, that the principles of the formation of character have been scientifically applied to practice. At present, the arrangements for forming the character of the population of all countries, are so ill-contrived, so inconsistent, and so injurious to all, that they may be truly said to be arrangements to prevent men becoming rational creatures—to keep them in a state of poverty and insanity—and to guard effectually against their acquiring any knowledge of truth, upon subjects the most important to their well-being and happiness.

4. *Of Government.* By government is meant, the laws and regulations by which production, distribution, and the formation of character, are arranged and directed. When all the details in the departments of production, distribution, and the formation of character, separately and unitedly, shall be arranged and directed in the best manner, to secure, permanently, to each individual, a full supply of



the best of every thing for human nature—to produce, physically, mentally, and morally, the best character in each individual—and unite all in a broad and real affection and charity, so that “each shall love his neighbour as himself,” and “there shall be peace on earth, and good-will among men,” then it may be said that government has been scientifically arranged, for the benefit of mankind.—*Owen.*

By tracing society to its origin, and ascertaining the purposes for which it was designed, we demolish sophistry, and lay bare the imposition of the defenders of privileged classes and exclusive rights. Society is based upon a principle of perfect equality, which knows no such distinctions as rich and poor, noble and ignoble, patrician and plebeian, aristocrat and democrat, rulers and ruled. These are all distinctions produced by society itself, and are separable from the original constitution of the social fabric. Their justice and utility are legitimate subjects for investigation and determination.—*Carpenter.*

The interest of the whole society is binding upon every part of it. No rule, short of this, will provide for the stability of civil government, or for the peace and safety of social life. Wherefore, as individual members of the state are not permitted to pursue their private emolument to the prejudice of the community, so it is equally a consequence of this rule, that no particular colony, province, town, or district, can justly concert measures for their separate interest, which shall appear at the same time to diminish the *sum* of public prosperity.... Those counsels can never be reconciled with the obligations resulting from civil union, which cause *the whole* happiness of the society to be impaired for the convenience of a part.—*Paley.*

## CHAPTER II.

## THE BASIS AND FORMS OF SOCIETY.

## SECTION I.

## THE SOCIAL COMPACT.

ACCORDING to Schelling, there are three eras of existence. The first, which is past, was the reign of Chance or Chaos; the second, which now exists, is that of Nature; and the third, is that of an Infinite Mind, which does not yet exist, but will hereafter be developed, and will absorb all finite being. Without entering a verdict of philosophic lunacy against the greatest of living men, as some of his countrymen have called him, or stopping to attend to those fields of science *in nubibus*, which have been cultivated by the school of Kant, with so much diligence, fervour, and self-applause, it may merely be remarked, that this bright sally of transcendental insanity affords no bad illustration of that which takes place in human society. We are now living in "the era of Nature," in which the various forms of intellect are developed and flourish; but that General Mind is only about to disclose itself, which will embrace, cherish, and reunite all into one limitless, all-pervading spirit of intelligence.—*Douglas*.

If a number of men act together at all, the necessity of being determined by the sense of the majority, in the last resort, is so obvious, that it is always implied. An exact concurrence of many particular wills is impossible; and therefore, when each taken separately has precisely the same influence, there can be no hardship in suffering the result to remain at issue, till it is determined by the coincidence of the greater number. The idea of *natural liberty*, at least, is so little violated by this method of proceeding, that it is no more than what takes place every day in the smallest society, where the necessity of being determined by the voice of the majority is so plain, that it is scarcely ever reflected upon.—*Robert Hall*.

When any number of men are formed into a community, it is the result of *necessity*, that the decision of the majority should determine the whole body. To say that at any

time the smaller number should either prevail, or that they might be excused from abiding by the decision of the larger number, is to say that no state or community shall exist at all. It would be a return to a state of nature, and a dissolution of any compact made or implied. The majority, therefore, has a right in all cases to decide the proper occasions and degrees of that restraint, which, as a political body, it is to place upon all the individuals composing it. Men may differ in their opinions—in their predictions of consequences, they may and ought to be allowed the full liberty of endeavouring to gain over a majority to act upon their view. But no *practical* dissent can be tolerated. They may talk—persuade—entreat and complain—but the moment they *act* against the decision of the majority, they commit treason, and are to be proceeded against as traitors.—*Anon.*

Every thing like *an act* in opposition to the will of the majority is treason, and must be dealt with as such. But any attempt to influence the opinion of other members of the state, is what reason and sound policy sanction and approve. If the proposed measure be bad, show it to be so. If it have an evil tendency, point out the tendency, and prove it to be evil; it will only be acted upon, on the supposition of its being good. However it may appear to you, if it be calculated to influence the opinion of the majority, it *ought* to be permitted to exert that influence. If the people choose to worship a golden calf, no one has a right to overthrow the idol; but every body has a right to make the attempt at reasoning them out of their idolatry. If the people choose to elect one or more hereditary governors, with almost every chance of misgovernment, on the side of the election; if they choose to be governed and scourged at the same time, no one has a right to wrest the scourge from the authorized hand; but every one should have leave to show the wretchedness and folly of the proceeding, and to prove the justice of returning such favours in kind, at the first opportunity. A limited right to disseminate opinions is wholly inconsistent with a free government; and, upon the ground stated—its tendency to perpetuate every existing error. On the other hand, no man has any right to complain that any of his *acts* are limited, if that check be thought necessary by the majority. It is his duty to assert, if he think so, that there is more lost

than gained by the restraint in question—to take every means of bringing over others to his opinion, so that a majority may at last decree its removal; but, until then, he must not dare to neglect compliance with its positive dictates, nor rise in any species of active opposition to the law, upon the pain of its penalties.—*Westminster Review*.

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## SECTION II.

### THE INDIVIDUAL, OR COMPETITIVE SYSTEM.

It has been, and still is, a received opinion among theorists in political economy, that man can provide better for himself, and more advantageously for the public, when left to his own individual exertion, opposed to, and in competition with, his fellows, than when aided by any social arrangements which shall unite his interests individually and generally with society. This principle of individual interest, opposed, as it is perpetually, to the public good, is considered by the most celebrated of the political economists to be the corner-stone of the social system, and without which society could not exist. Yet, when they shall discover the wonderful effects which combination and unity can produce, they will acknowledge that the present arrangement of society is the most anti-social, impolitic, and irrational, that can be devised; that under its influence, all the superior and valuable qualities of human nature are repressed from infancy, and that the most unnatural means are used to bring out the most injurious propensities:—in short, that the utmost pains are taken to make that which by nature is the most delightful compound for producing excellence and happiness, absurd, imbecile, and wretched.—*Owen*.

Like so many buckets in a well, as one riseth, another falleth, one's empty, another's full; his ruin is a ladder to the third; such are our ordinary proceedings. What's the market? A place, according to Anacharsis, wherein they cozen one another, a trap; nay, what's the world itself? A vast chaos, a confusion of manners, as fickle as the air, *domicilium insanorum*, a turbulent troop of impurities, a mart of walking spirits, goblins, the theatre of hypocrisy, a shop full of knavery, flattery, a nursery of villany, the

scene of babbling, the school of giddiness, the academy of vice ; a warfare *ubi velis nolis pugnandum, aut vincas aut succumbas*, in which kill, or be killed ; wherein every man is for himself, his private ends, and stands upon his own guard.—*Burton*.

In the Individual System, each man acts for himself alone. Individual power, wealth, learning, fame, are aspired to by the mass of mankind, according to their various talents and opportunities ; and the means by which these are pursued, are right or wrong, honourable or dishonourable, virtuous or criminal, according to the moral character of each individual. According to this system, there is a strong tendency for power, wealth, and even for learning and science—to accumulate in a few hands, while mankind at large, are weak, poor, ignorant, and, in a word, barbarous.

This system is necessarily a mixture of extremes, as to power, wealth, and poverty ; despotism in some, slavery in others, are almost inseparable from it. The learning which exists in such a state of society, is in like manner extremely liable to monopoly. Privilege and caste divide the world into classes : each class is separated from the others by the individual principle, while within each class, the same principle divides the members as much from each other, as if they belonged to a different rank ; thus also, a principle of competition is established, each man considering his neighbour as a rival, who stands in the way of his own prosperity, and whom he must by every means in his power out-strip or supplant. Excessive competition is so essential to this system, that it is the grand motive inculcated upon every child from its birth ; high or low, rich or poor, all are stimulated from the cradle, in all their childish pastimes, and in all their elementary education, to aim only at one object, which is to get above a neighbour. A comparison is drawn, not between the pupil and the subject, but between one pupil and another. A boy is not simply to acquire knowledge, but to know more than another ; not to select the most useful studies, but to excel in those which are most in vogue ; not to hold correct opinions, but to defend those that are held ; not to search for truth, but to bow to authority.

Whatever objections there may be to such a state of society, theoretically viewed—whatever abuses it may be liable to—whatever miseries it may be connected with—



yet, it is a system unavoidable in the infancy of the world; it has been invented by no set of artful men, but it is the growth of nature herself; the injuries, crimes, and miseries of which it is accused, are the abuses, and not the essence of the system; and though a severe parent, it is still the parent of the most momentous blessings to the world at large.

The Individual System results necessarily and unavoidably, among a set of beings, gifted with high and noble faculties, born in a state of entire ignorance, and compelled to support life by daily labour. Inequality of faculties, character, and circumstances, must immediately give rise to inequality of rank, and division of labour; and hence, the origin of arts and sciences, and the ultimate regeneration and happiness of the whole race. Had mankind remained perfectly equal, they would for ever have remained ignorant and barbarous. Their boasted equality would have been an equality of degradation, of mere animal life, beyond which they never would have advanced. The very mode in which beings are introduced into the world, the relation of old and young, of parent and child, at once destroys all trace of equality. The simple yet important fact, that knowledge is acquired, not innate—that knowledge is the result of experience and time—that it generally grows with our growth—this simple fact proclaims at once two momentous truths, that rank is unequal, and that man is progressive.

It is true, that the mere labourer is a man of few ideas, of narrow mind, of low desires: but, his incessant labour gives leisure to others, that leisure gives rise to reflection (properly so called), to knowledge of all kinds, to arts and sciences. The mind of man is enabled to unfold itself; the nature and qualities of its powers are tried and proved; and a new world, totally different from that with which his daily wants are connected, begins to be entered upon. The world of mind, of intellectual power, of spiritual refinement, of moral perfection, would never have been known to man, without inequality of rank, and without the Individual System. That principle in man, by which whole tribes and nations are induced to look up to one individual, a creature in every respect like themselves, with a degree of awe and veneration approaching to religious homage, and which makes it even a duty to consider him as the

absolute master of their lives and property; this very principle, acting under different modifications, is also the parent of civilization, and of the progressive improvement of man.

In the Individual System, as all power emanates from one to many, so all knowledge follows the same direction. The course, indeed, of knowledge is more especially confined to that one direction. Knowledge being progressive, must necessarily be an object of discovery and invention. Some one individual must first be the happy person to become acquainted with a new fact and a new truth; from him it must be communicated to others, who become the instruments of handing it on still farther, till it descends to the lowest of mankind. So one country shall attain a superior degree of light and knowledge to other nations, and be the means of illuminating those that sit in ignorance and darkness.

Those who have paid much attention to knowledge, and have self-reflection enough to watch the progress of their own minds, are the best to judge of the extreme slowness with which the first steps are made in the cultivation of the faculties, and the first grains picked up on the golden mountain of knowledge. They also must see the extreme importance of assistance at the outset; when artificial signs come to be studied instead of things themselves; and the obscure and often absurd records of man, are to be compared with facts and things, and to be received or rejected, by the principles of eternal truth. The first steps in knowledge are indeed extremely difficult and laborious, and require exclusive leisure of time, as well as a mind of a peculiar turn. Thus, in the early period of the world, ages might roll away before the leisure of the division of ranks could give birth to any thing deserving the name of knowledge or science. The wonder is, not that man has not achieved more, but rather that he was able to achieve so much, under such disadvantages.

The Individual System, therefore, seems to have been absolutely necessary for the birth of arts and sciences, because absolutely necessary for the leisure required. Nor when power was thus accumulated in the hands of a few, are we to conclude that the few would necessarily misdirect it. History, indeed, teems with the deeds of power, often employed in a questionable shape; but, that the

possessors of power entered into a tacit combination against the happiness of the world, is not the lesson of history.

We should rather say, that the exertions of power have, on the whole, been eminently beneficial to the race, and that its benefits are still only in their infancy. Arts and sciences were as essential for the purposes of power, as for the common comforts of man. Men of science, knowledge, and learning, were the right hand of power; by them only could plans of self-defence, or of enterprize, or of domestic and national grandeur, be conceived and executed. Therefore, schools, and colleges, and scientific institutions, were among the early objects of wealthy kings. The necessity of leisure for study, shut out all idea that universal knowledge was a thing practicable or desirable: but, compared with the state of the world, very extensive schools were formed for the dissemination of that knowledge which was known or deemed desirable. We must not judge the measures of olden time by rules derived from a new state of the world; it is sufficient for their credit and glory, that they faithfully served the system to which they belonged, and the only system for which the world was fitted.

We have thus endeavoured to explain the nature of this system. It was admirably adapted to the infancy of society; and the high stimulus which it held out to the exertions of individuals, in every direction, was so much bounty upon the production of knowledge. Knowledge would have required a much greater length of time for its perfection, had it not been forced forward in this hot-bed of zeal and ambition; if, indeed, it could ever have grown at all.

But the time has now arrived when the labourer may begin to reap the fruit which has been ripening under the Individual System. Knowledge, which was formerly confined to a few closets, is now in every body's hands. The methods of acquiring that knowledge, which were formerly long, irksome, and laborious, are now short, pleasant, and easy. Ten years of study are now reduced to one. Even the use of books is now better understood—that they are aids to knowledge, and not substitutes for it. Machinery has reached that state, when it dispenses with a great portion of the labourer's time—and the labourer begins to understand, that what is powerful as an enemy, must be equally powerful as a friend. The workman has also



acquired a power of reflection, and a freedom from passion, which formerly disturbed his movements; in short, he has acquired all the elements of co-operation, and wants only to be habituated to the practice of it. Time and experience are as necessary for co-operation as for other institutions: many mistakes may be expected to be made—some failures may happen, from ignorance and inexperience; but, even these will be productive of good, and great teachers of true principles; till, at last, all rocks being clearly pointed out, co-operation will hold on its course to the end of time.—*Anon.*

The competition which exists in producing and distributing wealth, necessarily creates a covered civil warfare between the individuals who are engaged in the same profession or business. Their interests are made to appear, by the existing arrangements of society, to be directly opposed one to another, and they are in opposition to each other, to so great an extent, that feelings of enmity, producing jealousy, discord, and anger, are but too frequently the natural result of men being placed under circumstances compelling them to injure each other, in the means by which they must maintain themselves and families.

Individual and national competition and contest are the best modes that have been, or perhaps can be, devised, under the existing irrational notions of the world, by which wealth can be created and distributed; and the object desired is thereby effected, in some manner, to a certain extent. But it is obtained by creating and calling into full action the most inferior feelings, the meanest faculties, the worst passions, and the most injurious vices, which can be cultivated in human nature; and the objects sought to be obtained by the measures, destructive as they are to the well-being and happiness of mankind, are yet most imperfectly obtained.

It is the true interest of society to procure a full sufficiency of wealth of intrinsic value, and to distribute it for the benefit of all, in the best manner; that is, with the least labour to all the members of the society, and especially with the least amount of unhealthy and disagreeable employment. Now, individual and national contest and competition is a mode of producing wealth which, in connection with the other parts of the miserable system by which

the world has ever yet been governed, requires ten or twenty-fold more waste of labour, and unhealthy and disagreeable occupation, than would be necessary under a well-devised system of society.

The competition, now rendered unavoidable, between individuals in producing wealth, compels them to apply much capital and labour in their individual establishments, which would not be required in a superior state of society, and gives a wrong direction to a great part of the labour and capital, by holding out inducements to create many things possessing little or no intrinsic worth or usefulness. But the waste of capital and labour, by unnecessary establishments, and by the production of useless or injurious articles, created to tempt society to purchase them, are small evils compared to the extent of the injurious feelings, violent passions, vices, and miseries, unavoidably attendant on a system of individual competition; and more especially when that competition is carried to the extent it has now attained in the commercial world, and particularly in Great Britain.

Under such circumstances as are now prevalent throughout the British dominions, individual competition is productive of evils of every description; it takes the means of supporting themselves, by their utmost exertions, from many; it gives to a few accidentally favoured individuals, in every branch of industry, injurious advantages over the mass, engaged in similar pursuits; and as, in many cases, it is a contest for the means of maintaining a respectable situation and standing in society, or falling into a state of degradation and pauperism, the feelings created between the parties thus set in opposition to each other, are, in almost all respects, the reverse of those which it is to the interest of mankind should exist among the members of every community.

Previous to the discovery of such enormous powers of mechanism as are now possessed by society, there might, possibly, be some necessity for injurious artificial motives, to stimulate men to invent; but of the truth of this supposition I am very doubtful. I believe there are no motives which impel more powerfully to action than truth and justice, when directed by kindness and a knowledge of the laws which govern human nature, in all its actions.—*Owen.*

It is certain, that there is no reason in nature why any

man should be exposed to poverty or want. The reason why so many are poor, must therefore be sought for in the institutions of society . . . . There now exists AN UNNATURAL LIMIT TO THE PRODUCTION OF WEALTH . . . . We will endeavour to explain this unnatural limit.

There must ever be *two natural limits to the quantity of wealth annually created* by the labour of the people; viz. the exhaustion of our productive powers, and the satisfaction of our wants.

The truth of this must be evident. In the former instance, it is certain that if the *whole* industry of the country were called into action, and that industry aided by the greatest mechanical power of which we have any knowledge, the wealth of the country would have reached the *greatest* extent that it could reach at any given period. And it is also certain, that if we were in possession of as much wealth as we desired, we should not trouble ourselves to create more.

And it would be well for us, if there existed no other limit to production than these two natural ones; but, unfortunately, we have established a *third*, and this third limit is COMPETITION. We will now endeavour to show that competition is the limit to production.

Under our present commercial arrangements, the production of wealth is limited by the demand which there is for it. The consumers of goods usually apply for them to the retail venders of them, and the quantity of goods a retail tradesman buys, is invariably regulated by the quantity he expects to sell; in other words, by the quantity he expects a demand for in his shop. In the manufacturing of goods, men are invariably regulated by the same principle. It never enters into the calculations of manufacturers, how much cloth would be required to supply the wants of mankind. It never forms any part of their business to ascertain how many coats the whole population ought to be supplied with in the course of a year, and how much cloth would be required to make them: neither do they ask themselves, how much cloth they have the power of making. All they ask, all they require to know, is, how much cloth they can dispose of at a profit; how much will stock the shops and warehouses of their customers; in other words, how much it is probable there will be a demand for. It is this, and this alone, which regulates pro-

duction. When more is produced than there is a demand for, the market is said to be overstocked; and when there is less produce than there is a demand for, the market is said to be understocked; without the least regard either to the satisfaction of our wants, or to the extent of our powers of production. If, then, production is limited by demand, the next inquiry that arises is, what is it that limits demand? We reply, that the demand for wealth is limited by COMPETITION between man and man.

Let us examine the influence of this on the working class: No person, dependent solely on his labour for subsistence, can obtain more wealth than his labour will enable him to purchase. Now, the *quantity* of wealth which a working man receives, is always the *least* that his labour can be purchased for; and the reason why he does not obtain twice the quantity he obtains at present, is, because if he, an individual, were to demand it, and refuse to work for a less quantity, he would be thrown out of employment altogether, by another individual offering to do the same work for the quantity now given—or in other words, by another individual *competing* with him.

It is, therefore, COMPETITION which reduces to the lowest term the quantity of wealth obtained by the working class. Such of them as are unable to obtain employment, being still candidates for employment, will ever, under a system of individual competition, have the effect of keeping down the quantity obtained by the mass, to that portion which is just sufficient to support life and continue their race; and if they hope ever to rise above this standard, while commerce is conducted upon its present principles, they hope for that which they never can obtain for any considerable length of time together.

If we consider the influence of this principle over the commercial class, we shall find it the same. No tradesman, who depends for his support solely on the profits acquired by his business, can obtain more wealth than these profits will enable him to purchase.—Now, the quantity of wealth which the trading class receives is the *least* that their services can be purchased for. The reason why a tradesman does not obtain twice the quantity he obtains at present, is, because if he, an individual, were to demand double the profit on the goods he sells, and refuse to sell them for a less profit, he would lose his trade altogether, by another



individual offering to the public the same kind of goods at the profit now obtained ; in other words, by another individual *competing* with him. It is, therefore, COMPETITION which fixes the quantity of wealth obtained by the trading class. Every tradesman is rich or poor, according as his exertions in business enable him to command a liberal or scanty supply of the comforts and enjoyments of life ; and this is invariably regulated by the largeness or smallness of the profits which he is enabled to obtain by the sale of goods. To prove that profits are limited by competition, scarcely requires an argument ; a conclusive one however will be, that if tradesmen uniformly sold goods at cost price, they would obtain no income at all ! and the more they compete with each other, the nearer to cost price each is compelled to accept for them.

If we pass on to those persons whose incomes are derived from the rent of houses, and from the interest of money, we shall find that the quantity of wealth which they are enabled to obtain for their use, is also limited by competition. The quantity of wealth which the proprietors of money and of houses receive, is the *least* that their houses and money can be borrowed for. The reason why a capitalist of this kind does not obtain twice the quantity he obtains at present, is, because if he, an individual, were to demand it, that is, demand double the rent for his houses, or double the interest for his money, and refuse to lend them for a less remuneration, he would be prevented from lending them at all, by another individual offering to lend houses and money for the remuneration now obtained ; or in other words, by another individual *competing* with him.

Thus, the income of *every individual, and consequently of the whole community*, (except only those persons who have fixed money incomes,) is LIMITED BY COMPETITION. And each obtains the *least* that his *labour*, his *services*, or the use of his property, can possibly be obtained for.

It is competition, then, that limits the quantity of wealth obtained by *individuals* ; the quantity obtained by individuals, *collectively*, composes the aggregate quantity obtained by the *whole community* ; this aggregate quantity forms the demand, and demand limits production.

When this subject is clearly understood, it will be seen by all, that the exhaustion of our productive powers, and

the satisfaction of our wants, are the *only natural limits* to the production of wealth;—that so long as capital shall continue to be employed in *competition* with capital, instead of in *conjunction* with it, we shall never be able either to exhaust our productive powers, or to satisfy our wants; because production must ever be limited to the quantity which the labour, the services, and the property of the community will command.

There is yet one more observation to make on this subject. We are for ever told, that we have more articles of wealth, *more produce*, than we want. Strange and foolish error! Let those who entertain such a thought understand their own words. They *say*, we have more produce than we *want*. They *mean*, we have more produce than there is a *demand for*. When every human being has every thing his heart can wish, then, and not till then, we shall have as much produce as we want. But dreadful is the contrast to this in society as it now is. Go, see your wretched fellow-creatures, of which there are thousands in this country, (England) hungry, houseless, and in rags, and inquire of them, whether *they* have a superabundance of wealth! Go to your manufacturing towns, and see the wretched producers of your wealth, ye who roll in luxurious profusion; ask of them whether *they* have more than they have need of, and blush when ye tell us of superabundance! We have frequently more produce than we have a *demand for*—a great deal more; but DEMAND IS LIMITED BY COMPETITION: abolish THIS, and demand shall be equal to production, though it be increased a thousand-fold.

It is competition, then, and nothing but competition, which limits the annual income of the country. And as competition necessarily arises from the division, and opposition or conflict of the interests of men, in the distribution of the produce of labour, it is certain that nothing less than an *entire change* in the commercial arrangements of society, can be productive of any essential benefit to mankind.—*Gray.*

As men are *instinctively* led to unite in societies, we may rest assured, that, if their associations were maintained on the true principles of their nature, the further any society advanced in knowledge, and in the invention and exercise of mechanical productive powers, their increase of happi-

ness would be in proportion to the progress of intellect, and to the increase in their means of production and of comfort. In fact, their sense of the great advantages which may be derived from the combination of their powers—not to a portion of their members only, but to the whole community, would become continually stronger and stronger, until, so far from the social principle becoming continually weaker and weaker, SELF-LOVE would ultimately be lost in UNIVERSAL BENEVOLENCE.

If this assumption be correct—and, that it is so will appear to any mind of ordinary capacity,—then have we obtained a secure footing on which to proceed in the course of our inquiries; then have we arrived at the knowledge of the only solid foundation on which human society can permanently be constructed; then does it follow that there is some grand fundamental error, which has fatally found its way into every society the world has hitherto contained, and which alone, and at once, accounts for all those counteractions that have rendered the operation of the social instinct, as respects the bulk of mankind, abortive.

Soon after any community began to emerge from the most simple state of society, the consequences of the error began to manifest themselves. A class of its members, which has been denominated the *lower orders*—a class necessarily doomed to comparative and positive misery and ignorance, was imperceptibly generated within it.

In proportion as nations have become great and powerful, and have made advances in wealth and acquirements, the mass of misery corrupting and rankling at their base, has also continued progressively to be enlarged, until it may be truly said, that the foundations of society are laid in wretchedness, and that there is no addition made to the superstructure of luxury and of wealth, without a more than corresponding enlargement of the sphere of misery below.

The surplus wealth, created by useful inventions, and the skilful combinations of labour, has never been equitably distributed. *The invention of machinery, to assist or supersede human labour, has never been the means of abating one hour's labour to the labourer. The discovery of productive powers which are capable of producing more wealth than the world can consume, has not afforded one ounce of additional plenty to the poor.* The very increase of knowledge,

and of intellectual elevation, among some classes, has been accompanied by corresponding degradation and debasement to others. Even the progress of virtue has been accompanied by an increase of vice; and this country itself presents the appalling spectacle of the rapidly increasing demoralization and misery of one portion of its people, at the very moment that active beneficence, and the principles of universal philanthropy, are more than ever conspicuous amongst another.

It is quite impossible that the state of society, as all societies have hitherto been constituted, should be otherwise. The interest of each individual having been opposed, in almost every situation, and under almost all circumstances, to the interest of other individuals, and to the interests of society, innumerable counteractions, and the positive negation of the principal advantages, and of much of the most valuable power, of society, is the inevitable and natural result.

The degree and kind of exertion which are to be given to the productive powers of a nation, are never regulated by the real interests of the whole nation, but by the supposed interests of individuals. The landholders regulate the quantity of their produce, not by the *wants of the people*, but by the amount of *pecuniary* advantage which can be derived to *themselves*. While there are hundreds of thousands of unemployed labourers, and myriads of uncultivated acres, the land is suffered to lie waste, and the pauper labourers continue to be but half fed,—because the plough must not touch the forbidden soil until its cultivation shall be deemed advantageous, not only to society, but to its possessors—not only to a famishing multitude, but to individuals already in possession of a superabundance.

The most eminent agriculturists have repeatedly declared, that the produce from the soil of this country can only be made to equal the consumption, by legislative enactments which shall elevate the price of the produce to such a standard as shall be advantageous to the producer, and must be highly injurious to the consumer. In other words, that though the interests of the *whole people* obviously require that the supply of food should be as abundant and as cheap as possible, the supposed interests of a *portion* of the people demand that the supply shall be limited, and the price high.



It must not be inferred from this, that the landholders act otherwise than the existing nature of things compel them. The form which society has assumed renders it indispensable that each individual should disregard the interests of the whole, when his own immediate interests are concerned; and from this imperative necessity no one can escape. If mechanics, manufacturers, &c., were to create all the goods which the real wants and necessities of society require, the money-price of the commodities would sink below the level, which, as society is now constituted, is advantageous to the manufacturer. A million of men may be destitute of comfortable woollen apparel; and a single great manufacturer may possess the requisite machinery and other powers for producing the necessary articles with facility; but the quantity of his product is determined, not by the *necessities of the people*, but by the *money-price* which his commodities can command in the market.

Though society requires the produce, it has lost the control over the power of production. Though there are hundreds of thousands of wretched human beings, capable, not only of performing all the processes which are necessary for the abundant supply of their own wants, but of producing a large amount of surplus wealth for the benefit of society at large, they are not permitted to rescue themselves from misery and to relieve others, because it is not self-evident to a certain number of individuals (individually considered), that this happy change in the condition of the many could not be injurious to the few.

From amongst the multitudes who are at present destitute of productive employment, we shall suppose that five hundred or a thousand are selected. They shall consist of husbandmen and common labourers, and of workmen who have been instructed in the practice of the useful arts,—such as linen, cotton, and woollen weavers,—tanners, tailors, shoemakers, hatters, joiners, bricklayers, &c. Some of them shall be qualified to teach the ordinary branches of useful knowledge, and to contribute in other respects to the instruction and amusement of the rest, and of the families of the whole. These men, it is evident, need the assistance of each other; but the existing arrangements of society are such, that they not only cannot help themselves,—they are compelled to drag on a wretched existence,

prolonged by the scanty pittance which is wrung from public or private charity ; and thus to prey on the industry of those whom the errors of society have not yet reduced to their wretched condition.—*The Economist*.

In every department of society, there is not the least appearance of a general and enlightened government acting for the benefit of the people. Instead of this invaluable superintending power, if it were rightly directed, we, almost everywhere, perceive the active workings of an ignorant self-interest, opposed, in almost every instance, to the general good of the people, and to the highest and most permanent interest of the nation. I am aware it is a favourite doctrine with those few individuals who best thrive under a system of government which allows them, by their position with regard to capital, and political, literary, and commercial knowledge, to obtain the choice situations in the existing order of things, to advocate the advantage of an inactive government, that will permit, with the least restraint, every one to take his own course, and to do the best individually for himself. This doctrine, however, is true only when compared to the active proceedings of an ignorant despotic government, whose practical measures are inferior in wisdom to the random proceedings of individuals, guided in their conduct by a desire to promote their own immediate benefit, without reference to the general well-being of the community to which they belong. It is not true, when applied to a government acting upon the united experience of a nation, with all its measures devised to effect, through wise arrangements in each department of the Science of Society, the most beneficial results for the whole community.—*Owen*.

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### SECTION III.

#### THE SOCIAL, OR CO-OPERATIVE SYSTEM.

OF all the relations of life there is none more endearing than that of a brother. In sickness and health, in joy and sorrow, in prosperity and adversity, this relationship is a balm for every wound. A family is the place where we are to look for the purest and happiest feelings which

man is permitted to enjoy upon earth. A family is a community as far as it goes. All are fed from the same stock. All sit at the same table, and drink of the same cup. All have a common lot, either of prosperity or adversity. All hold the same rank in society. If one should happen to be more fortunate than the rest in the world, and rise to wealth or honour, he imparts a portion of his prosperity to the others. He soothes the old age of his parents, or he makes them happy by his public honours, and by his kind and filial attentions to their wishes. He lends his hand to those who are of his own age, and helps them on their journey; or he superintends, directs, and patronizes those who are younger than himself, in their studies, their pursuits, and professions. Thus, by a feeling of grateful and laudable ambition, he becomes the father of his household; and every one, at his approach, "rises up and calls him blessed."

This family affection ought to extend itself from private to public life; from the family to the world. It ought to be the model upon which every one should endeavour to form his own character. The reward of such a character is sweet in the extreme. It exists in the sympathy of every bosom; it makes a family of the world; it sees a brother in every human being, and rejoices in every opportunity of doing him good. Man was evidently intended to be brought to this lovely state by nature and by providence—and in our apprehension these terms are synonymous. Man was never intended to live by the misery or the ruin of his neighbour—but by his prosperity and happiness. That portion of evil which unavoidably befalls some people in the present state of the world, was intended to be mitigated, if not obviated, by the general prosperity and happiness. As one individual bears but a trifling proportion to the whole race, so the misfortunes or unhappiness of one may be abundantly compensated by the overwhelming prosperity of the great mass of mankind.

"There is a friend," says the wise man, "that sticketh faster than a brother!" However strong the affection and interest of a family may be, man is so formed as to contract indissoluble attachments to some one or more of his fellow-creatures. Two minds may have the same pursuits and studies—the same views and objects—they may delight in the same species of knowledge—and may join together

in the same career of improvement and science. The common object may be sufficient to bind them together in friendship, and they may follow the common pursuit with double ardour and double relish.

But the sweetest of all bonds is that which is formed not merely by a common science, but by a congenial disposition and heart. It is from the heart that every valuable feeling springs, and every source of pleasure and happiness. No kind of pursuit, or knowledge, becomes a source of happiness to a man, till it takes fast hold of the heart and affections. When we love a science, then we appreciate its value and its beauties. They grow and expand every day, and the more we examine them, the more inexhaustible do we find them. We see that the objects of our love are infinite—our hearts dilate with a feeling of the same infinity—we ourselves experience a kind of growth within us—our very nature seems to change, to enlarge, to purify, to be exalted—and we are led continually to wonder at the vast and improving character of the powers and faculties we possess.

This feeling of friendship is so peculiar and delightful, that it has been the subject of some of the most beautiful compositions which have ever been written. This however is not of so much importance in our view, as the fact that friendship of some kind, and in some degree, is absolutely necessary to every man's comfort in the common intercourse of life. No man would wish to say, and no man can say, that he has not a friend in the world. It is considered a most forlorn estate for a man not to know to whom to turn for an act of kindness: and when we meet with so extreme a case, we instantly forget all the common forms of society, and of rank, and by an instinctive impulse we become that friend ourselves, as if to prevent the world from being loaded with the disgrace of bearing on its face a friendless man. It is oppressive to contemplate the picture of man, in this state, approaching to friendless destitution. The heart mourns over it, and seeks relief in imagining the possibility of a state of things in which we may extend the delightful feeling of friendship from one to many—in which we may open our bosom and receive into our arms all who wear the fair form and features of man. Such is the state which Co-operation holds out, and Co-operation alone. Co-operation removes the almost insur-



mountable obstacles to friendship; namely, self-interest, rivalry, jealousy, and envy. When two persons have an inclination to cultivate a friendship for each other, they seldom proceed far without finding their interests clash. The delicate feeling of mutual esteem, which at first is small and weak, and requires time for its growth, and a variety of kind offices for its strength, receives a check in its very outset. Mutual suspicions and jealousies arise, and the tender plant is nipped in the bud. Men must have different pursuits, and be wholly independent of each other, in order to stand any chance of a real and sincere friendship.

But if persons were so situated that their interests were in all respects the same; if the prosperity of the one insured the prosperity of the other, and the happiness of the one, the happiness of the other; then, instead of suspicion and jealousy, they could only feel towards each other love, esteem, and affection. If one were cleverer than another, or more indefatigable—if he had more genius, knowledge, or energy than another—or were more zealous, industrious, and persevering than another, while that other reaped an equal share of all this superiority—surely that other could not but entertain for his kind friend a high degree of respect, esteem, and admiration, in proportion to his superior merits. The weak is now beaten down by the strong; the ignorant man by the man of genius: but were they to find in the strength and wisdom of others their own protection and safeguard, they would feel no longer unhappy and discontented in their own moderate powers, while they would look, with pleasure and approbation, on the greater powers of their neighbour.

Such is the state of things which Co-operation holds out. Every man, on entering such a Society, immediately becomes surrounded by a host of friends. All the abilities and labour of all those friends are pledged to him, to protect him against the common evils of life, and to ensure to him its comforts and enjoyments. While he presents the Society with the labour, skill, and knowledge of one single individual, the Society presents him with those of many. He gives little; he receives much. In himself, he is subject to all the uncertainties, the ups and downs of life, to anxiety and care, to laborious days, and sleepless nights: but in the Society, he has insured himself against all these

things: he cannot be ruined unless the Society be so too: and the ruin of a Society of labourers is an impossibility; because, as every labourer produces about four times as much as he consumes, a society of one hundred labourers must produce four hundred times more than they consume—which is amply sufficient to provide against all the chances and accidents of life.

Suppose a workman, a member of such a Society, to form a friendship for another member, how delightful would it be for them to live under the same roof, to work at the same employment, to eat at the same table, to spend the hours of rest and recreation in mutual conversation or improvement! They would never be separated by change of masters, want of work, or sickness, or old age. One would never look down upon the other because he was rising more in the world, nor feel contempt for him as belonging to a different trade. They would continually be striving to oblige each other, by little acts of kindness and attention. They would lighten each other's labour as opportunity offered, and they would unite in this labour with the greatest cordiality and zeal, in order to insure a common independence.

Another pleasing occupation of such friendship would be, to assist in explaining and enforcing the great principles of the Society; to instruct the ignorant; to encourage the timid; to help the weak; to be patterns to the other members; to be foremost in exertion, in zeal, in activity; to be always ready to meet difficulties, and to bear the heat and burden of the day. Such objects would be worthy of the warmest friendship, and the highest energies; and would be a fit employment for those exalted faculties which God has given to man.

We do not mean to assert that each member of a society or community would possess that high degree of feeling, which is called friendship, towards every other member. We only argue on the general truth, that friendship, in some degree, is common and necessary to all men—that the circumstances of ordinary life are very unfavourable to it—and that those of a Co-operative community are essentially favourable: and when such friendship does exist, between two or more members, their circumstances will enable them to reap from it the highest possible enjoyment. But this friendly feeling, among the members



generally, must not be left to chance and accident. It must not only be recommended as an advantage; it must be enforced as an imperative and paramount duty and obligation. When a man enters a Co-operative Society, he enters upon a new relation with his fellow-men; and that relation immediately becomes the subject of every sanction, both moral and religious. Mutual regard, friendship, and affection, become then as binding upon a member as the duties of common honesty and sobriety. Religion will step in here, as into other relations, and will hold forth her promises of future reward and punishment, in proportion as men are good or bad members of the community to which they belong. Zeal, energy, and fidelity, will draw after them the glorious rewards of a future life: whilst indolence, indifference, and unfaithfulness, will naturally anticipate the gloomy sentence of disapprobation and punishment. Though the profession of a common creed will not be one of the objects of a community, yet, every member will be glad to unite in that view of religion which will give additional force and sanction to all their regulations for the common good.

However, we cannot withhold our opinion, that the delightful feelings of friendship will pervade the whole Society to a considerable extent. The common yearnings of our nature, and the common ties of the Society, will necessarily open the hearts of the members. No man will be admitted whose general character is not approved of—so that no obstacle will exist to thwart his inclination to contract friendships among the members. While nothing opposes them, many things will favour them; and when many rivers run in one direction, without opposing currents, they must at last unite in one common ocean.

The common capital is the great bond of union. Each member is nothing in his individual capacity—but every thing in his social capacity. If he separates himself from the Society and the common capital, he is ruined. While he is united with them his fortune is made. The importance of each member, and the value of his labour, as a single individual, are nothing; so small is the proportion they bear to the whole Society, and the common capital. The older the Society grows, and the larger the capital, the more insignificant is each member as an individual. These, and similar reflections, must make him look to the

Society and its common capital, so as to entertain for them the utmost regard and love.

But if a number of persons are continually admiring and loving the same object—if that object possess many beauties and excellencies—if it be the great and unfailing source of their happiness, they must, necessarily, by continually loving the same interesting object, draw towards each other in the bonds of love. It would be the height of absurdity to suppose that mankind should be prone, even to a fault, to a common sympathy, under the present course of things—and dead to this sympathy, when united in a common Society, with a common capital. It is much more reasonable to suppose, and to prophesy, that this sympathy would act in Co-operation with new energies, and rise occasionally, even to enthusiasm. If men are now to be found, so full of public spirit as to sacrifice their ease and peace, their prosperity and happiness, and even life itself, for the public good, when the reward is but an empty name, or a monument, when they are no longer sensible to the honour, or perhaps the mistaken execration of an ungrateful world, what efforts will they not be capable of, when, to the certainty of posthumous fame, is added the present prosperity and happiness of all around them!

Yes! enough has now been done to justify us in anticipating the happiest results: and we are convinced that our motto, "Sirs, ye are brethren," will be the talisman which every Co-operator will wear next his heart. It will be the rosary on which every member will tell his morning and evening aspirations, to the great Fountain of all love—to impart the principles more and more widely and deeply to his own breast, and to those of his friends and brethren. The spirit of Co-operation is the spirit of friendship and brotherly love, which, though small at first, in the infancy of the Society, will gather strength and stature as it goes—will at length lift its head sublimely to the skies, and *enfold, in its parental and everlasting embrace*, all the children of the happy community.—*Anon.*

The changes proposed consist of new arrangements derived from science.

1. *To erect, heat, and ventilate Lodging Apartments* for the working classes, *better and cheaper* than can be effected by any of the plans now in practice.

2. *To feed them better and cheaper.*

3. *To clothe them better and cheaper.*
4. *To train and educate them better and cheaper.*
5. *To secure to them BETTER HEALTH than they now enjoy.*
6. *To apply their labour to Agriculture, Manufactures, and all the purposes of society, with science better directed than heretofore.*

And lastly, *To make them in all respects better members of society.*

Every one must acknowledge that these will be important improvements, if they can be obtained.

It is now to be shown that they are easily attainable, and that all the means necessary to give them permanence now superabound.

The most difficult problem to solve was, "to ascertain what number of persons could be associated together so as to give to each the most advantage with the least inconvenience."

The second, "to discover on what principle this new association could be formed, in order to avoid the evils which have hitherto kept society in a state of poverty, degradation, imbecility, and misery."

The third, "to find out, how all their wants could be permanently and amply supplied without a collision of individual interests, and at the same time to secure a progressive improvement in all knowledge, so as to give a continued zest and enjoyment to human existence."

The arrangements best adapted for the improvement and happiness of the working classes, and which must at the same time render their labour superior to, and cheaper than, that of all other labourers, are as follows:—

From about 500 to 1500 individuals, or (supposing four to a family) about 300 families, are to reside in habitations in the country, on which much foresight and science have been exercised in devising their erection and combination, and in which an attempt has been made to unite, in these buildings, every domestic advantage and comfort of which the dwellings of the working classes are now susceptible.

They comprise spacious sitting and bed-rooms, extensive public kitchen and eating-rooms, schools for different ages, church, places of worship for Dissenters, infirmary, library, lecture-room, and inn for the accommodation of the friends and visitors of the inhabitants.

These buildings are to enclose an extensive play-ground for the younger children; space for gymnastic exercises for the elder children, and of recreation for adults.

They are to be surrounded by gardens, which are to be chiefly cultivated by the females and elder children, and to be placed in the midst of about 600 acres of land; the arable part of which will be principally cultivated by the spade. The buildings have been accurately designed, working drawings for the builders are prepared, and every expense attending their erection has been estimated with great care, at the present cost of materials and labour in the city of Glasgow; being the nearest extensive market for these articles to the proposed establishment; and 10 per cent. on the whole has been added for contingencies.

The cost of these erections has been found  
to be about ..... £34,260 0 0

To which add,

For furnishing the apartments, &c., of 300 families .....	3,600 0 0
Fitting-up school-rooms and places of worship for Dissenters .....	300 0 0
Ditto church .....	400 0 0
Ditto infirmary .....	200 0 0
Ditto lecture-room .....	240 0 0
Ditto inn .....	500 0 0
Ditto library .....	500 0 0

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Making the entire cost about.....£40,000 0 0

Forty thousand pounds at seven and a half per cent. interest, per annum, is £3,000.

The buildings, as before remarked, will accommodate in a more commodious and comfortable manner, than any now in use, a population of 1,200 persons, or (supposing four to each family) 300 families. By dividing the above-mentioned interest, £3,000, by 300, the number of families, will give £10 per annum, to be paid by each family of four persons, for the rent of the private furnished apartments, public buildings, and other superior domestic accommodation; and, by an accurate calculation made on the expenditure of the working class at New Lanark, whose population is well known to be sufficiently supplied, it is found that the average expenditure of each family

does not exceed forty-five pounds per annum,\* including rent and all expenses. However, to prevent the possibility of overstating the argument, each family, in the new establishment, is here supposed to cost forty-seven pounds per annum, including all expenses. This, for 300 families, will amount to £14,000 per annum. Now, in a working population of 1,200 individuals, there appears from the most accurate data that can be obtained, an average of

248	individuals, male and female, under 10 yrs.	First Class.
178	Ditto, Ditto,	from 10 to 15. Second do.
719	Ditto, Ditto,	from 15 to 60. Third do.
55	Ditto, Ditto,	60 & upwards. Fourth do.

The labour of the children in the First Class is not taken to account, although the occasional employment of those from seven to ten in weeding the gardens, and other light occupations, will be of value to the establishment. The labour of both sexes of the Second Class, consisting of

	<i>Per Ann.</i>
165 individuals, at 4s. per week, is... ..	£1,716 0 0
680 Ditto, of Third Class, at 10s. per week	17,680 0 0
40 Ditto, of Fourth Class, at 5s. per week	520 0 0
	<hr/>
	19,916 0 0
Total expenditure taken at a high rate, }	
including rent and interest..... }	14,100 0 0
	<hr/>
Surplus.....	£5,816 0 0

In this calculation, the labour of eight of the Second Class, nineteen of the Third Class, and five of the Fourth Class, are not taken to account, as they would be employed in various domestic purposes and superintendence; and also the labour of five of the Second Class, twenty of the Third Class, and ten of the Fourth Class, are supposed to be at

\* The expenditure of the new establishment will, in fact, be greatly diminished, even compared with that of New Lanark, as the former is to be supplied with all the necessaries of life by the labour of its own inhabitants; and by this means the various profits which are absorbed by the dealers in these articles will be saved to the establishment, as well as a considerable sum in every part of the domestic arrangement.



all times ineffective, either from indisposition or other causes.\*

Thus, in return for their services, estimated at the common prices of manual labour, will these working classes obtain more substantial comforts than can be now procured by many of the middle classes at an expenditure of several hundreds per annum.

The surplus of £5,816, after it shall have repaid the capital expended in forming the establishment, will be an excess of wealth perpetually accumulating to form new establishments as the population increases.

Thus will terminate the present commercial system of profit upon price; since by these simple, yet truly scientific arrangements, this profit will be rendered not only unnecessary and disadvantageous to all parties, but utterly impracticable.

From the preceding calculations, it is evident that the inhabitants of these establishments will be in full possession, even at the commencement of their exertions, of far more substantial advantages than are now acquired by the favoured few, after a life of great exertion, and what is called success.

It is evident that the members of these communities will be able, with facility, to create a considerable surplus beyond their own consumption; this surplus produce they will exchange for the surplus produce of other similar Communities, by estimating the value of such surplus produce *in labour*, and *not in money*, as at present.

By this arrangement they will receive all their external supply, and thereby render money, and all money transactions, wholly unnecessary; their labour by these arrangements will require no other representative than notes or vouchers, to be given when the articles are delivered at the appointed depot; these notes or vouchers will designate the exact amount of labour contained in such articles, which amount will be estimated upon equitable principles, ascertained and fixed by the Communities.† Thus all bargaining, and its degrading effects on the human character, will be obviated.

\* These calculations are derived from a census of the whole population of Lanark.

† Their transactions with present society will, of course, be carried on by means of the usual circulating medium.



But even this stage of society will be but temporary ; for, by the most simple arrangements, which will be beneficial to all, supply may be made so far to exceed any possible demand, that it will be discovered, in a comparatively short time, that all may use whatever they desire, without the necessity existing for the intervention of any immediate or direct equivalent.

The advantages of these new arrangements to the physical, moral, and intellectual character of the lower orders are so great, that when they can be once fairly comprehended by the public, they will plainly show the extravagance, loss, and gross absurdity of the present occupation and expenditure of the working classes.

The general advantages of these new arrangements are, (to state them in few words) that they clearly discover to us the only true solution of that hitherto most difficult problem in political economy, viz.—The true distribution of that immense amount of production which manufactures and agriculture, aided by machinery and other scientific improvements, can now create.

Under these arrangements, an abundant harvest, and a liberal supply of all useful and agreeable commodities by machinery, will not produce, (as under the existing system,) distress and ruin,—on the contrary, these arrangements will eventually *prevent* the rising generation from being subject to poverty, or the fear of poverty—will preserve them from ignorance—from acquiring any bad habits or dispositions—from all cause of anger or malevolence towards their fellow-creatures, or from being in any degree intolerant to them, in consequence of any opinions, habits, or dispositions, which they may have been taught.

The particular advantages are, that they and their children, and their children's children, to the most remote posterity, will, to the end of their lives, exist amidst a superfluity of whatever can be necessary to their well-being and happiness ; until the whole surface of the habitable parts of the earth shall be cultivated like a garden ;—that they will be made active and intelligent,—be trained to possess the most charitable, kind, and benevolent sentiments and dispositions ;—and that, through their example, all classes, sects, and parties, will be induced to adopt whatever experience shall prove to be beneficial, wise, and good in these establishments.

It has been frequently asserted by theoretical political economists and others, that this system has a tendency to degrade and enslave the human race, and place it under unnatural restraints. No conclusion, however, can be more unfounded and fallacious, and it must proceed entirely from an ignorance of human nature and society. On the contrary, every part of this system has been purposely and carefully devised, after a calm and attentive consideration of ancient and modern history, and existing facts, with a view to impart to man the utmost freedom and independence of which he is susceptible, under a social system of order and happiness.

And it can never be too much impressed on the public mind, that the only solid foundation of public liberty is to be found in the full supply of the wants—in the virtuous habits—in the intelligence, and consequent happiness of the whole population.—*Robert Owen*.

Let us suppose that a community, consisting of about 1,200 persons, of both sexes and all ages, that is to say, made up of the average proportions of children, adults, aged and infirm members, were about to form a colony on one of the unoccupied spots of this kingdom, and that it was their determination, as far as possible, to possess every requisite within themselves. Their first object would, doubtless, be to secure to themselves such an extent of land as should be capable of yielding a quantity of alimentary produce, more than sufficient for their subsistence; their next object would be to erect commodious dwellings, and to supply themselves with the other necessities, conveniences, and comforts, to which they had been more or less accustomed in the society whence they emigrated. Supposing them possessed of a knowledge of the principles upon which Mr. Owen's plan is founded, and cordially agreed to act upon those principles, they would be aware that a regard to their own true interests required that they should, as far as practicable, without trenching upon individual liberty, carry on every operation conjointly, and economise to the utmost both their materials and labour. They would, according to the practice of the most experienced agriculturists, erect their dwellings as nearly as possible in the centre of their estate; and in the construction of them, a regard to economy would require that one contrivance should answer numerous purposes. Hence

they would see the advantage of making one convenient kitchen, and a sufficient number of other public rooms, in the place of multiplying small rooms, and paltry utensils for the separate use of each family.—The females would find, that, by dividing among themselves the domestic duties of the community, those duties might be performed in a tithe of the time, and with incalculably more skill and effect than by their own individual and desultory efforts, if, for the exclusive benefit of her own family, each was burthened with all the petty details of housewifery, amidst the distraction arising from the care of young children.—The children of such a community would be sufficiently numerous to admit of the introduction of the best system of education. For the purposes of manufacturing the several articles of clothing and of furniture, machinery would be resorted to; and as each member would have a common interest, on equitable principles, in the whole produce of the land and manufactures, it is obvious that the more extensively and efficiently mechanical inventions were introduced and applied, the more would the wealth of each individual be increased. There could then arise no collision of interests between the agriculturist and the manufacturer, for those interests would be identified. Abundant harvests, and plenty of provisions, could not be regarded, as with us, an evil: what constituted the joy of one could not be a source of sorrow to another; all would rejoice together, and receive with gratitude the gifts of Providence.

Such is, indeed, a very slight sketch of that plan which has been scouted as visionary and impracticable. The grand desideratum of Society, is to carry the principles of union and combination as far as practicable into effect. The only limit that should be assigned to the operation of these principles, is that point where they would invade the right of privacy, and freedom of action. Under the proposed arrangements, provision is made for the enjoyment of privacy, each family having separate sleeping and sitting apartments, the size, number, and convenience of which might be increased as the association advanced in wealth; and freedom of action is insured by the right of each member to withdraw from the society when so disposed, and by the inalienable right of all societies to expel those individuals who shall disturb their peace.—*Economist*.

One essential feature of Mr. Owen's plan, and one of

its necessary adjuncts, is a community of goods, and an equality of rank, amongst all the persons associated together, as members of each of his proposed communities, during the whole of the period that all the individuals remain so associated.

In so far, but no farther, Mr. Owen's system bears a partial resemblance to other schemes, founded upon equality in rank and property, from all of which schemes, nevertheless, it essentially differs in its real character and properties.

For, though this strict equality prevails with respect to all the associated members of each community, it by no means extends to the public at large, nor even to all the persons connected with each concern. It is, in fact, nothing more than the equality of partners, all of whom have an equal interest in their joint concern, but whose relation to the community at large remains unchanged.

Thus, though the basis upon which the affairs and prosperity of each society rest, is agriculture, yet, unless a society be rich enough to purchase their own land, the community of goods does not include the land, any more than the equality in rank includes the land-owner. The land-owner and the society stand in the ordinary relation of landlord and tenant; and his rights, his property, his rank in general society, remain as unchanged by the fact of his letting a farm to a partnership, as by the fact of his letting it to a single farmer, to a solitary tenant,—with this only difference, that a society, if required, will be enabled to pay a much higher rent than any single farmer can do.

Thus, though the command of capital is indispensable to the formation of each establishment, and to the carrying on of its affairs, yet, unless each society possess capital enough of its own, at the period of its commencement, the equality in property and rank neither embraces the capital nor the capitalist, both of which preserve the ordinary and legal relation which now subsists in all transactions between lenders and borrowers.

Thus, though each society will deal extensively, in the purchase of materials and various other commodities, and in the sale of its own agricultural and manufacturing produce, yet the equality in wealth and rank, which prevails in the society with respect to its own members, embraces



neither the persons of whom they purchase, nor the persons to whom they sell. These various and numerous parties, even when the transactions happen to be between two or more of the societies themselves, retain all the existing relations of buyers and sellers.

Thus, each society will remain in the same relation as exists at present with respect to all individuals, with the Government of the country, as to the payment of taxes, the obligation to perform civil or military services, and subjection to the laws of the state.

And thus, as in the ordinary relation of partners in common life, the equality in rank and property, even amongst the associated members of each community, continues no longer than the continuance of the partnership, or association. Should the association break up,—the partnership be dissolved,—the common property will be equally divided among its common proprietors, each of whom will afterwards take that rank in ordinary society to which his connections, his talents and manners, or the amount of his private wealth, may be found adequate to introduce him.—And, even on the determination of the partnership as respects any one member, either by the expulsion or the resignation of the individual, the general stock or property of the society will not be found to be vested in the community, since that individual will either be at liberty to sell his interest in the concern, or will have the full equivalent, after valuation, paid to him by the society, at the moment of his quitting it.

The notion, then, that Mr. Owen's plan contemplates, or necessarily resolves itself into, an universal equality in property and in rank, is as preposterous as it would be to connect that result with the organization of companies for the building of bridges or the cutting of canals, or with that of any other extensive partnerships.

A plan of societies under which landlords are to be paid their rents,—the lenders of capital to be paid the interest of their money,—the government to be paid its taxes,—the public at large to retain all its rights,—and the members of the societies themselves to resume their individual rights, characters, and property, at their pleasure,—appears to me, I must confess, to differ entirely, and in every respect, from all other schemes of *equality* of which I have yet heard!

If a society shall be enabled, by the prosperous course of its affairs,—by the accumulation of wealth,—eventually to purchase the land for its agriculture, which it in the first instance *farmed*, that effect will arise, not from the inevitable tendency of the plan to produce *equality*, but from the ordinary power which belongs to the possessors of wealth at present. In like manner, should a society be enabled to repay the capital originally advanced to it, and thus to discharge its debt, and relieve itself from the burthen of paying annual interest, this prosperous result will not be owing to the inevitable tendency of the plan to produce equality, but to the ordinary tendency of industry, prudence, economy, and successful enterprise, to lead to independence.

I think I have satisfactorily shewn, then, that Mr. Owen's scheme is not a scheme necessarily connected with, or necessarily productive of, universal equality either in property or in rank;—in fact, that it possesses no other tendency of this sort than belongs to all other partnerships,—from the common nature of which it only differs (if difference it can be called) in the greater simplicity and efficiency of its design, whether as respects the unity of its action, or the equitable distribution of its advantages.

Here, then, I am entitled to take my stand, and to consider the objection as completely met, the apprehension as entirely removed.

But, I am aware there are some persons who contend that the advantages of the system will be so apparent, and the happiness to be derived from acting upon it so great and so obvious,—that after the effects have been for some time exhibited in practice, all men will be eager to associate everywhere in communities upon the same principles; and that the power of producing wealth will thus become so unlimited, as to render the possession of superfluous riches as little desirable then, as the possession of a superfluous quantity of water is at present,—and that by this means, if not by any other, the plan will eventually resolve itself into an *universal community of goods*!

Very well!—I most devoutly wish that all men may think thus of the plan; and I will even venture to express a hope that the plan may fully realize their expectations. There are no persons, I think, who, if this be the acknowledged tendency of the plan, will contend that *that tend-*



*ency* forms any just ground of objection to its introduction.

If this plan may one day result in equality, because it will render men so wise, so wealthy, and so happy, that distinctions in property or in rank will no longer be deemed desirable;—so may the progress of Christianity result in equality, when Christianity shall have rendered all men so humble, so benevolent, and so virtuous, that they shall esteem all earthly distinctions as unreal vanities, if not as sinful presumptions;—and so may the principles, precepts, and practice, of any moral philosopher or philanthropist, or of all philosophers and philanthropists united, result in equality, when the force of their principles, of their precepts, and of their example, shall be universally diffused, and universally felt and acknowledged! An universal equality, produced by means such as these, is indeed a consummation most devoutly to be wished, and most joyfully and gratefully to be received.

On the supposition, then, that in this way Mr. Owen's system may result in equality, let us see in what respects it still differs from all other schemes of equality,—schemes against which the mind naturally entertains strong prejudices, and with which it has been forced by past events to connect little else than unfavourable associations. It is necessary, therefore, that we who unite with Mr. Owen, should show that *our* scheme neither partakes of their character, nor is in any degree of their kindred.

If *our* scheme should produce equality, that will be its result, not its original character, nor its ruling principle or power.

All schemes of equality, on the other hand, have proposed to commence with the abolition of distinctions and the equal division of property.—They have proposed to begin thus, in order, according to the view of their projectors, that good, and the happiness of mankind, might ensue.

Our scheme proposes to begin with the acquisition of good,—with the attainment of happiness, with the cultivation of the moral and intellectual powers from earliest childhood, and continued to the latest period of existence, —and with the abolition of no *distinctions*, but such as all men must desire to see removed, the wretched distinctions afforded by gradations in *vice*, *poverty*, and *misery*!

The projectors of schemes of equality have wished to begin with the equality, in the anticipation of a result, (happiness,) the occurrence of which all men are entitled to dispute and to deny—which is exceedingly doubtful in itself, and is an *end*, which the proposed *means* seem far from being adequate to accomplish.

*Our* scheme *begins* with the *end* which the others only propose eventually to accomplish; and *our* scheme is utterly regardless of further results, let those results be what they may, in the firm assurance, that to whatever state men shall be led by the guidance of reason and of virtue, that state must be the most favourable to their felicity.—*Economist.*

Even as respects each society, the object sought to be obtained is not *equality* in rank or possessions,—is not *community of goods*,—but full, complete, unrestrained *co-operation*, on the part of *all* the members, for *every* purpose of social life, whether as regards the means of subsistence, or of promoting the intellectual and moral improvement and happiness of the *whole body*.

This is the true and only secret of the system,—the natural course of action, under which alone social beings (possessing powers of combination derived from natural instincts, and improved by scientific principles) can derive all the advantages which are within their reach, and by which alone they can be bound together in society, without the agency of force and sanguinary laws, which have always, hitherto, been found necessary to hold them together. Even Christianity, because its professors have omitted to obey the injunctions of the Author of their Faith, on this point,—because they have excluded from their societies the true and natural principle on which alone society can be permanently and securely founded,—even Christianity has hitherto, on this account, failed to unite men in the bonds of love and fellowship; and it is found as necessary to employ force in Christian countries, for the preservation of the existing system, as in those parts of the world to which Christianity has not yet been communicated!

This is one amongst the numberless facts, which ought at once to satisfy all, unprejudiced, not only of the great imperfection of the present system of society; but of the fact, that the fundamental error of society is the opposition

of interests,—the artificial obstacles thus created to prevent cordial co-operation,—and the ruinous checks thus entailed upon the production and distribution of wealth, as well as upon the spread of true principles.

Even a religion, enjoining all men to be of “one heart and of one soul,”—teaching a pure morality,—and offering the most consolatory doctrines and brilliant hopes and expectations to mankind, has for upwards of eighteen centuries exerted its influence in vain, because its influence has necessarily been counteracted by the nature of society, fruitful only in counteractions; and it might continue to exert its influence for as many centuries more, with the same success, if the form of society remained unchanged. Indeed, the earthly triumph of Christianity would be the establishment of the new system of society. Its successful progress would result in such an extension of the benevolent principle, as to induce every individual to merge his individual interest and happiness in the general good, and in the promotion of the general welfare. Either, then, we must wait for the earthly felicity promised by Christianity, until Christianity itself shall have slowly and imperceptibly removed the obstacle which opposes its full and complete action;—or, aided by science and benevolent feelings, and under the guidance of Christian principles, we must, in so far as is at present possible, remove the obstacle, now that it has at length been discovered,—induce men, by interesting even their selfishness, to enter into that state of society which is most favourable to virtue and to happiness, and which presents the greatest facilities for the universal diffusion of knowledge, and for the early formation of good habits and amiable character,—and thus facilitate the arrival of that felicitous state which Christianity has foretold, and which it has promised to establish.

It is remarkable, that all that is proposed to be effected by Mr. Owen’s system, and all, probably, that it is capable of effecting, is to *prepare* mankind for the blissful change which is expected to take place in their condition.

When that period shall at length arrive, then indeed *all men* will be of one heart and of one soul,—will have but *one interest*, and will enjoy a perfect equality in rank and an unlimited community of goods.

The new system proposes to unite, in each community, only two or three hundred families, by the bond of their

mutual interests, and their sense of the great advantages which may be derived by each from the cordial co-operation of all.

We know not yet of any motive sufficiently strong, of any bond, by which all mankind, or even a few thousands of families, could be induced to enter into a state of unity and of common property and pursuits.

That is a consummation reserved for a higher period in the progress of the world,—for the development of powers with which we are still unacquainted,—or for the operation of Divine Grace, crowning with universal harmony the whole design and accomplishment of creation.

In the new societies, on the contrary, there will not be a *real* community of goods, even as respects the associated members of each village.

At first view, there appears to be the establishment of a community of goods; and I believe I have myself frequently applied the term to the arrangements. This, however, has arisen from inattention, and from not having examined the point with that care and precision which are necessary for coming to accurate conclusions.

The individuals forming an association may possess various portions of wealth at the moment when the association is formed. One member is worth nothing,—another has a hundred, a third a thousand pounds, and so on. If there were a community of goods, the separate wealth of the individual members would be merged in the general fund,—in the common stock of the society. It has never, however, been contemplated that such an arrangement should take effect. On the contrary, each member may lodge his personal property where he thinks proper. He may employ it as he thinks proper, and spend it as he thinks proper.

Again, if there were a community of goods, the joint property would be vested in the community. A member could neither sell his interest nor dispose of it by will, nor demand an equivalent for it, if he were expelled from the society, or if he thought fit voluntarily to retire from it. Each member, however, will have a right to exercise all these acts of absolute property over that proportion of the partnership stock which belongs to him.

A community of goods, therefore, is neither the distinguishing feature of the system, nor the direct object which



it is intended to accomplish. On the contrary, it distinctly recognises, and carefully preserves, the right of private property, and of individual accumulation and possession.

Its distinguishing feature is *unity of physical and intellectual power*,—its instrument, or agency, *unrestrained co-operation*,—its objects, the unlimited and uncontrolled production and distribution of *wealth*; in which term I include every thing that is desirable to man, or that is necessary to his true well-being and happiness.—*Economist*.

## CHAPTER III.

### OF CIVIL GOVERNMENT.

#### SECTION I.

##### THE ORIGIN AND OBJECTS OF GOVERNMENT.

GOVERNMENT, like dress, is the badge of lost innocence; the palaces of kings are built on the ruins of the bowers of Paradise. For, were the impulses of conscience clear, uniform, and irresistibly obeyed, man would need no other lawgiver; but that not being the case, he finds it necessary to surrender up a part of his property to furnish means for the protection of the rest; and this he is induced to do by the same prudence which, in every other case, advises him out of two evils to choose the least.—*Paine*.

It has been thought a considerable advance towards establishing the principles of freedom, to say that government is a compact between those who govern and those who are governed: but this cannot be true, because it is putting the effect before the cause; for as man must have existed before governments existed, there necessarily was a time when governments did not exist, and consequently there could originally exist no governors to form such a compact with. The fact therefore must be, that the *individuals themselves*, each in his own personal and sovereign

right, *entered into a compact with each other* to produce a government: and this is the only mode in which governments have a right to arise, and the only principle on which they have a right to exist. To possess ourselves of a clear idea of what government is, or ought to be, we must trace it to its origin. In doing this, we shall easily discover that governments must have arisen, either *out of* the people, or *over* the people..... A constitution is not a thing in name only, but in fact. It has not an ideal, but a real existence; and wherever it cannot be produced in a visible form, there is none. A constitution is a thing *antecedent* to a government, and a government is only the creature of a constitution. The constitution of a country is not the act of its government, but of the people constituting a government. It is the body of elements, to which you can refer, and quote article by article; and which contains the principles on which the government shall be established, the manner in which it shall be organized, the powers it shall have, the mode of elections, the duration of parliaments, or by what other name such bodies may be called; the powers which the executive part of the government shall have; and in fine, everything that relates to the complete organization of a civil government, and the principles on which it shall act, and by which it shall be bound. A constitution, therefore, is to a government, what the laws made afterwards, by that government, are to a court of judicature. The court of judicature does not make the laws, neither can it alter them; it only acts in conformity to the laws made: and the government is in like manner governed by the constitution.

—*Idem.*

Society is nothing more than the easy and free communication of persons and thoughts; and all the art of government consists in preventing those violent shocks which tend to its destruction.—*Volney.*

There are two modes by which men may be governed; one through their imagination and fears; the other through their reason and affections. The first is the creature of fancy, formed regardless of the unchanging laws of Nature; the second proceeds from accurate observation and deep reflection, and is in strict accordance with all known facts. The one, founded upon imagination, and acting through our fear, perpetuates ignorance and poverty, and



engenders all crimes. The other, derived from experience and founded upon facts, which are the same yesterday, to-day, and for ever, will, of necessity, dissipate ignorance by the gradual extension of real knowledge, relieve the population of the world from poverty, and from the fear of it, will remove the cause of all crime, and create a superior character, physically, intellectually, and morally, for the human race.—*Owen*.

Civil rulers cannot be considered as having any claims that are co-extended with those of the people, nor as forming a party separate from the nation. They are appointed by the community to *execute* its will, and not to *oppose* it; to manage the *public*, not to pursue any *private* or *particular* interests.—*Robert Hall*.

When men first began to multiply and exist together in numbers, it was discovered that some plan for the regulation of their collective movements was requisite; for as some principle of order is essential to direct the energies of a single mind, the necessity for a similar guiding power among a multitude is very certain and obvious. Had human nature been in a state of moral perfection, no coercive restraints would have been imposed, or necessary; for if men, with a true and luminous perception of the justice and expediency of certain conduct or measures, felt a spontaneous disposition and determination to act upon its suggestions, no mode of restraint or coercion, but such as reason and experience might have supplied to each individual member, would have been rendered imperative for the regulation of society. But human nature, from the earliest notices which we have of its character, has tendencies to injustice, rapacity, and violence; and these have been constantly operating in the destruction of social harmony, and have entirely perverted the general character of society from that perfection which, under the guidance of proper motives, it is capable of attaining. Thus men, from their individual inability to preserve their right of free action, amongst beings constantly addicted to violence and oppression, would concentrate their numbers, and organize their collective body into the best state for preventing aggression, and endeavour to establish that security and exemption from apprehension, without which their natural right in pursuing the various avocations necessary for the improvement of the mind, and the support of the body,

would have its operations suspended or destroyed.—*Carpenter*.

Some convenient tree will afford them a state-house, under the branches of which the whole colony may assemble to deliberate on public matters. It is more than probable that their first laws will have the title only of regulations, and be enforced by no other penalty than public disesteem. But as the colony increases, the public concerns will increase likewise, and the distance at which the members may be separated, will render it too inconvenient for all of them to meet on every occasion as at first, when their number was small, their habitations near, and the public concerns few and trifling. This will point out the convenience of their consenting to leave the legislative part to be managed by a select number chosen from the whole body, who are supposed to have the same concerns at stake which those have who appointed them, and who will act in the same manner as the whole body would act, were they present.—*Paine*.

A state is a collective body, composed of a multitude of individuals, united for their safety and convenience, and intending to act together as one man. If it therefore is to act as one man, it ought to act by one uniform will. But, inasmuch as political communities are made up of many natural persons, each of whom has his particular will and inclination, these several wills cannot by any *natural* union be joined together, or tempered and disposed into a lasting harmony, so as to constitute and produce that one uniform will of the whole. It can, therefore, be no otherwise produced than by a *political* union, by the consent of all persons to submit their own private wills to the will of one man, or of one or more assemblies of men, to whom the supreme authority is intrusted.—*Blackstone*.

But in originating an executive and legislative power, it is evident that men never purposed to sacrifice their natural right; and that this government had only a derived, and not an inherent, authority. The creation of governments was intended to secure the welfare of society from violence, both foreign and domestic, and thus to enlarge the sphere of free action in which the original powers or faculties of man might operate with increased safety and advantage. To infer the converse,—that his pursuit of comfort would be obstructed by self-created obstacles,—that he

would, in fact, surrender the very constitution which identified him as a man, is one of the utmost absurdities which diseased imaginations could possibly deduce or generate. As a general deduction, therefore, supported by the testimony of nature, it may be asserted, that men originally established civil government for the protection of natural right, and that government is invested with nothing but a derived authority, which implies the most solemn responsibility to those by whom it was originally conferred, or by whose consent it continues to exist. Nature, or if we may adduce a more awful and definite authority, the Supreme Being, never gave any prescriptive powers, or established any diversities of physical condition. He is, emphatically, "no respecter of persons." All men are born alike helpless, but are gifted with a general equality of power to provide for their future subsistence; so that as to natural exigence, and natural ability for supply, the most obvious equality is established.—*Carpenter*.

Political arrangement is more or less perfect, in proportion as it enables us to exert our natural liberty to the greatest advantage. If it is diverted to any other purpose, it is made the instrument of gratifying the passions of a few, or imposes greater restraint than its object prescribes: it degenerates into tyranny and oppression.—*Robert Hall*.

No man, who knows aught, can be so stupid as to deny that all men naturally were born free, being the image and resemblance of God himself; and were (by privilege above all the creatures) born to command, and not to obey: and that they lived so, till, (from the root of Adam's transgression,) falling among themselves to do acts of injustice and violence, and foreseeing that such courses must needs tend to the destruction of them all, they agreed by common league to bind each other to refrain from mutual injury, and jointly to defend themselves against any that should give disturbance or opposition to such agreement. And, because no faith in all was found sufficiently binding, they saw that it was necessary to ordain some authority that might restrain by force and punishment acts of violence that were done against peace and common right. This authority and power of self-defence and preservation (which was originally and naturally vested in every individual member of each community, and unitedly in them all) they (for the sake of ease and good order, and lest each man

should be his own partial judge) communicated and delegated either to one man amongst them, whom they chose for his eminence in wisdom and integrity above the rest, or to more than one such man, when they had more men amongst them whom they thought equally deserving of such a high trust; and they called a person so chosen, when they had chosen only one such governor, their *king*, and when they had chosen more than one such governor, they called them their *magistrates*. But they did not mean thereby to make them their lords and masters, (though afterwards those names, in some places, were given voluntarily to such as had been authors of inestimable good to the people,) but to be their deputies and commissioners, to execute, by virtue of their intrusted power, that justice which else every man, by the bond of nature and of covenant, must have executed for himself, and for one another.

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It being thus manifest that the power of kings and magistrates is nothing else but what is only derivative, transferred and committed to them in trust, from the people, for the common good of them all, in whom the power yet remains fundamentally, and cannot be taken from them, without a violation of their natural birthright; and seeing that from hence Aristotle, and the best political writers, have defined a king to be, "him who governs to the good and profit of his people, and not for his own ends;" it follows from necessary causes, that the titles of *sovereign lord*, *natural lord*, and the like, are either arrogancies or flatteries, not admitted by emperors and kings of the best note, and disliked by the church, both of Jews (Is. xxvi. 13) and of ancient Christians, as appears by Tertullian and others.

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It follows, lastly, that since the king, or magistrate, held his authority of the people, both originally and naturally, for their good in the first place, and not his own; then may the people as oft as they shall judge it for the best, either choose him or reject him, retain him or depose him, though no tyrant, merely by the liberty and right of free-born men to be governed as seems to them best. This, though it cannot but stand with plain reason, shall be made good also by Scripture.\*—*Milton*.

\* We have omitted the Scriptural arguments, as being too prolix for our space.



The ultimate end of all government is the good of the people—now, the greatest good of a people is their liberty—liberty is to the collective body what health is to every individual body. Without health no pleasure can be tasted by man; without liberty no happiness can be enjoyed by society.—*Bolingbroke.*

When the science of government shall be known, all its measures will be to *prevent* the existence of evil, and thereby render it unnecessary to waste its powers in unavailing attempts to cure the evil, after unwisely allowing the evil to arrive at maturity. The governing powers will clearly understand, that it will be, for their own best interest, and for the permanent good of all society, carefully to watch the growth of every evil, and to destroy it in the bud; for assuredly, in whatever country artificial evils exist, that country is not well governed. In the present advanced state of the sciences, ignorance and poverty, or even the fear of poverty, are artificial evils; and whenever these evils afflict and oppress the great body of the people, it is most evident that a change in the principle of the government of the country, in which they prevail, is necessary, and will be highly beneficial to all parties.—*Owen.*

What is government more than the management of the affairs of a nation? It is not, and from its nature cannot be, the property of any particular man or family, but of the whole community, at whose expense it is supported; and though by force or contrivance it has been usurped into an inheritance, the usurpation cannot alter the right of things. Sovereignty, as a matter of right, appertains to the nation only, and not to any individual; and a nation has at all times an inherent and indefeasible right to abolish any form of government it finds inconvenient, and establish such as accords with its interest, disposition, and happiness.—*Robert Hall.*

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## SECTION II.

### THE FOUNDATION OF CIVIL GOVERNMENT.

As no man can have any natural or inherent right to rule, any more than another, it necessarily follows, that a



claim to dominion, wherever it is lodged, must be ultimately referred back to the explicit or implied consent of the people. Whatever source of civil authority is assigned different from this, will be found to resolve itself into *mere force*.—*Robert Hall*.

In spite of the attempts of sophistry to conceal the origin of political right, it must inevitably rest at length on the acquiescence of the people. In the case of individuals it is extremely plain. If one man should overwhelm another with superior force, and after completely subduing him, under the name of government, transmit him in this condition to his heirs, every one would exclaim against such an act of injustice. But whether the object of his oppression be one or a million, can make no difference in its nature, the idea of equity having no relation to that of numbers.—*Robert Hall*.

No man has power over his own life, or to dispose of his own religion, and cannot, consequently, transfer the power of either to any body else; much less can he give away the lives, liberties, religion, of his posterity, who will be born as free as himself, and can never be bound by his wicked and ridiculous bargain.—*Trenchard*.

There never did, there never will, and there never can exist a parliament, or any description of men, in any country, possessed of the right or the power of binding and controlling posterity to the end of time, or of commanding for ever how the world shall be governed, or who shall govern it; and therefore all such clauses, acts, or declarations, by which the makers of them attempt to do what they have neither the right nor the power to do, nor the power to execute, are in themselves null and void. Every age and generation must be as free to act for itself, *in all cases*, as the ages and generations which preceded it. The vanity and presumption of governing beyond the grave, is the most ridiculous and insolent of all tyrannies. Man has no property in man; neither has any generation a property in the generations which are to follow..... Every generation is, and must be, competent to all the purposes which its occasions require. It is the living, and not the dead, that are to be accommodated. When man ceases to be, his power and his wants cease with him; and having no longer any participation in the concerns of this world, he has no longer any authority in directing who

shall be its governors, or how its government shall be organized, or how administered.—*Paine*.

As we are not to live for ever ourselves, and other generations are to follow us, we have neither the power nor the right to govern them, nor to say how they shall govern themselves. It is the summit of human vanity, and shows a covetousness of power beyond the grave, to be dictating to the world to come. It is sufficient that we do that which is right in our own day, and leave them with the advantage of good examples.... If it was made an article in the constitution, that all laws and acts should cease of themselves in thirty years, and have no legal force beyond that time, it would prevent their becoming too numerous and voluminous, and serve to keep them within view, and in a compact compass. Such as were proper to be continued, would be enacted again, and those which were not, would go into oblivion. There is the same propriety that a nation should fix a time for a full settlement of its affairs, and begin again from a new date, as that an individual should; and to keep within the distance of thirty years would be a convenient period.—*Idem*.

As the natural equality of one generation is the same as that of another, the people have always the same right to new-model their government, and set aside their rulers. This right, like others, may be exerted capriciously and absurdly; but no human power can have any pretensions to intercept its exercise.—*Robert Hall*.

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## CHAPTER IV.

### OF FORMS OF GOVERNMENT.

THE greatest amount of happiness being the end, the best form of Government must be that in which *the smallest number of chances*, or at least probability, exists of the enforcement of such laws or acts as are contrary to the general interest; and the *greatest number of chances*, or greatest probability, exists of the adoption of such as are favourable to it. These chances, then, are to be estimated, and as we find them to be in favour of democracy—an aristocracy—or despotism—so shall we do right in

trying to persuade men to be of the same mind with us, that such a system may be ultimately declared for by the majority.—*Anon.*

Security being the true design and end of government, it unanswerably follows, that whatever form thereof appears most likely to insure it to us with the least expense and greatest benefit, is preferable to all others.—*Paine.*

On a comparison of free with arbitrary governments, we perceive the former are distinguished from the latter, by imparting a much greater share of happiness to those who live under them; and this in a manner too uniform to be imputed to chance or secret causes. He who wills the end, must will the means which ascertain it.—*Robert Hall.*

[We shall not be careful to ascertain with strict philosophical accuracy the several forms of government distinguished in ancient times by various denominations. It is enough that we employ these denominations in their modern and current acceptation. The several species of government to be noticed are, democracy—aristocracy—monarchy—mixed governments—and despotism.]

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## SECTION I.

### DEMOCRACY OR REPUBLICANISM.

A DEMOCRACY is a form of government, in which the people at large, either collectively or by representation, constitute the legislature.—*Paley.*

What is called a *Republic*, is not any particular form of government; it is wholly characteristical of the purport, matter, or object for which government ought to be instituted, and on which it is to be employed,—RES-PUBLICA, the public affairs, or the public good; or literally translated, the *public thing*. It is a word of a good original, referring to what ought to be the character and business of government; and in this sense it is naturally opposed to the word *monarchy*, which has a base original signification. It means arbitrary power in an individual person; in the exercise of which, *himself*, and not the *res-publica*, is the object.—*Paine.*

In republics, such as those established in America, the sovereign power, or the power over which there is no control, and which controls all others, remains where nature placed it,—in the people; for the people in America are the fountain of power. It remains there as a matter of right, recognised in the constitutions of the country, and the exercise of it is constitutional and legal. This sovereignty is exercised in electing and deputing a certain number of persons to represent and act for the whole, and who, if they do not act right, may be displaced by the same power that placed them there, and others elected and deputed in their stead, and the wrong measures of former representatives corrected and brought right by this means. Therefore, the republican form and principle leaves no room for insurrection, because it provides and establishes a rightful means in its stead.—*Idem*.

The repository where the sovereign power is placed is the first criterion of distinction between a country under a despotic form of government and a free country. In a country under a despotic government, the Sovereign is the only free man in it. In a republic, the people retaining the sovereignty themselves, naturally and necessarily retain freedom with it: for, wherever the sovereignty is, there must the freedom be; the one cannot be in one place, and the other in another.—*Idem*.

The administration of a republic is supposed to be directed by certain fundamental principles of right and justice, from which there cannot, because there ought not, to be any deviation; and whenever any deviation appears, there is a kind of stepping out of the republican principle, and an approach towards the despotic one. This administration is executed by a select number of persons, periodically chosen by the people, and act as representatives and in behalf of the whole, and who are supposed to enact the same laws, and pursue the same line of administration, as the whole of the people would do were they assembled together. The *public good* is to be their object. It is therefore necessary to understand what Public Good is. Public Good is not a term opposed to the good of individuals; on the contrary, it is the good of every individual collected. It is the good of all, because it is the good of every one: for as the public body is every individual collected, so the public good is the collected good of those



individuals. The foundation principle of Public Good is justice, and wherever justice is impartially administered, the public good is promoted; for as it is to the good of every man that no injustice be done to him, so likewise it is to his good that the principle which secures him should not be violated in the person of another, because such a violation weakens *his* security, and leaves to chance what ought to be to him a rock to stand on.—*Idem*.

When a people agree to form themselves into a republic (for the word REPUBLIC means the PUBLIC GOOD, or the good of the whole, in contradiction to the despotic form, which makes the good of the sovereign, or of one man, the only object of the government), when, I say, they agree to do this, it is to be understood, that they mutually resolve and pledge themselves to each other, rich and poor alike, to support and maintain this rule of equal justice among them. They therefore renounce not only the despotic form, but the despotic principle, as well of governing as of being governed by mere will and power, and substitute in its place a government of justice. By this mutual compact the citizens of a republic put it out of their power, that is, they renounce, as detestable, the power of exercising at any future time, any species of despotism over each other, or doing a thing not right in itself, because a majority of them may have strength of numbers sufficient to accomplish it.—*Idem*.

The sovereignty of a despotic monarch assumes the power of making wrong right, or right wrong, as he pleases or as it suits him. The sovereignty in a republic is exercised to keep right and wrong in their proper and distinct places, and never to suffer the one to usurp the place of the other. A republic, properly understood, is a sovereignty of justice, in contradistinction to a sovereignty of will.—*Idem*.

It is the harmony of all the parts of a republic that constitutes their several and mutual good. A Government that is constructed only to govern, is not a Republican Government. It is combining authority with usefulness that in a great measure distinguishes the republican system from others.—*Idem*.

It is the common opinion, that no large state could ever be modelled into a Commonwealth, but that such a form of Government can only take place in a city or small ter-



ritory. The contrary seems probable. Though it is more difficult to form a republican government in an extensive country than in a city, there is more facility, when once it is formed, of preserving it steady and uniform, without tumult and faction. In a large government, which is modelled with masterly skill, there is compass and room enough to refine the democracy from the lower people who may be admitted into the first elections, or first concoctions of the Commonwealth, to the higher magistrates who direct all the movements. At the same time, the parts are so distant and remote, that it is very difficult, either by intrigue, prejudice, or passion, to hurry them into any measures against the public interest.—*Hume*.

In a Democracy, where the right of making laws resides in the people at large, public virtue, or goodness of intention, is more likely to be found, than in either of the other qualities of government. Popular assemblies are frequently foolish in their contrivance, and weak in their execution; but generally mean to do the thing that is right and just, and have always a degree of patriotism or public spirit.—*Blackstone*.

The advantages of a republic are, liberty, or exemption from needless restrictions; equal laws; regulations adapted to the wants and circumstances of the people; public spirit, frugality, averseness to war; the opportunities which democratic assemblies afford to men of every description, of producing their abilities and counsels to public observation, and the exciting thereby, and calling forth to the service of the commonwealth, the faculties of its best citizens.

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Amongst the inferior, but by no means inconsiderable advantages of a DEMOCRATIC constitution, or of a constitution in which the people partake of the power of legislation, the following should not be neglected:—

1. The direction which it gives to the education, studies, and pursuits, of the superior orders of the community. The share which this has in forming the public manners and national character, is very important. In countries, in which the gentry are excluded from all concern in the government, scarcely any thing is left which leads to advancement, but the profession of arms. They who do not addict themselves to this profession (and miserable must that country be, which constantly employs the military

service of a great proportion of any order of its subjects!) are commonly lost by the mere want of object and destination; that is, they either fall, without reserve, into the most sottish habits of animal gratification, or entirely devote themselves to the attainment of those futile arts and decorations which compose the business and recommendations of a court: on the other hand, where the whole, or any effective portion, of civil power is possessed by a popular assembly, more serious pursuits will be encouraged; purer morals, and a more intellectual character, will engage the public esteem; those faculties which qualify men for deliberation and debate, and which are the fruit of sober habits, of early and long-continued application, will be roused and animated by the reward which, of all others, most readily awakens the ambition of the human mind—political dignity and importance.

2. Popular elections procure to the common people courtesy from their superiors. That contemptuous and overbearing insolence, with which the lower orders of the community are wont to be treated by the higher, is greatly mitigated, where the people have something to give. The assiduity with which their favour is sought upon these occasions, serves to generate settled habits of condescension and respect; and as human life is more embittered by affronts than injuries, whatever contributes to procure mildness and civility of manners toward those who are most liable to suffer from a contrary behaviour, corrects, with the pride, in a great measure, the evil of inequality, and deserves to be accounted among the most generous institutions of social life.

3. The satisfactions which the people in free governments derive from the knowledge and agitation of political subjects; such as the proceedings and debates of the senate; the conduct and characters of ministers; the revolutions, intrigues, and contentions of parties; and, in general, from the discussion of public measures, questions, and occurrences. Subjects of this sort excite just enough of interest and emotion to afford a moderate engagement to the thoughts, without rising to any painful degree of anxiety, or ever leaving a fixed oppression upon the spirits;—and what is this, but the end and aim of all those amusements which compose so much of the business of life and of the value of riches? For my part (and I believe it to

be the case with most men who are arrived at the middle age, and occupy the middle classes of life), had I all the money which I pay in taxes to government, at liberty to lay out upon amusement and diversion, I know not whether I could make choice of any in which I could find greater pleasure than what I receive from expecting, hearing, and relating public news; reading parliamentary debates and proceedings; canvassing the political arguments, projects, predictions, and intelligence, which are conveyed, by various channels, to every corner of the kingdom. These topics, exciting universal curiosity, and being such as almost every man is ready to form, and prepared to deliver his opinion about, greatly promote, and, I think, improve conversation. They render it more rational and more innocent; they supply a substitute for drinking, gaming, scandal, and obscenity. Now the secrecy, the jealousy, the solitude, and precipitation, of despotic governments, exclude all this. But the loss, you say, is trifling. I know that it is possible to render even the mention of it ridiculous, by representing it as the idle employment of the most insignificant part of the nation, the folly of village statesmen and coffee-house politicians: but I allow nothing to be a trifle, which ministers to the harmless gratification of multitudes; nor any order of men to be insignificant, whose number bears a respectable proportion to the sum of the whole community.

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The evils of a republic are dissension, tumults, faction; the attempts of powerful citizens to possess themselves of the empire; the confusion, rage, and clamour, which are the inevitable consequences of assembling multitudes, and of propounding questions of state to the discussion of the people; the delay and disclosure of public counsels and designs; and the imbecility of measures, retarded by the necessity of obtaining the consent of numbers: lastly, the oppression of the provinces which are not admitted to a participation in the legislative power.\*—*Paley*.

Those who have said that a republic is not a *form* of government calculated for countries of great extent, mis-

\* Nearly the whole of these inconveniences, which attach to a *simple* democracy, are got rid of in a *representative* democracy, and a *federal* republic.—*Editor*.

took, in the first place, the *business* of a government for a *form* of government; for the *res-publica* equally appertains to every extent of territory and population. And, in the second place, if they meant any thing with respect to *form*, it was the simple democratical form, such as was the mode of government in the ancient democracies, in which there was no representation. The case, therefore, is not, that a republic cannot be extensive, but that it cannot be extensive on the simple democratical form; and the question naturally presents itself—what is the best form of government for conducting the *res-publica*, or the PUBLIC BUSINESS of a nation, after it becomes too extensive and populous for the simple democratical form?

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Referring then to the original simple democracy, it affords the true data, from which government on a large scale can begin. It is incapable of extension, not from its principle, but from the inconvenience of its form; and monarchy and aristocracy from their incapacity. Retaining, then, democracy as the ground, and rejecting the corrupt systems of monarchy and aristocracy, the representative system naturally presents itself; remedying at once the defects of the simple democracy as to form, and the incapacity of the other two with respect to knowledge. Simple democracy was society governing itself without the aid of secondary means. By engrafting representation upon democracy, we arrive at a system of government capable of embracing and confederating all the various interests, and every extent of territory and population; and that also with advantages as much superior to hereditary government, as the republic of letters is to hereditary literature.\*—*Paine*.

Were we to characterize a Republic, we should say, it is a state in which power, both theoretically and practically, is derived from the nation, with a constant responsibility of the agents of the public to the public; a responsibility that is neither to be evaded nor denied. That such a system is better on a large than on a small scale, though contrary to brilliant theories, which have been written to uphold different institutions, must be evident on the smallest

\* It is on this principle that the American government is founded.



reflection; since the danger of all popular governments is from popular mistakes, and a people of diversified interests and extended territorial possessions, are much less likely to be their subjects than the inhabitants of a single town or country. If to this definition we should add, as an infallible test of the genus, that a true republic is a government of which all others are jealous and vituperative, on the instinct of self-preservation, we believe there would be no mistaking the class.—*Cooper*.

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## SECTION II.

### ARISTOCRACY AND OLIGARCHY.

AN Aristocracy is a government in which the sovereign power is lodged in a council composed of select members. ....In aristocracies there is more wisdom to be found, than in the other frames of government; being composed, or intended to be composed, of the most experienced citizens; but there is less honesty than in a republic, and less strength than in a monarchy.—*Blackstone*.

The separate advantage of an aristocracy consists in the wisdom which may be expected from experience and education:—a permanent council naturally possesses experience; and the members who succeed to their places in it by inheritance, will, probably, be trained and educated with a view to the stations which they are destined by birth to occupy.—*Paley*.

By aristocracy I mean a government of particular citizens in right of their wealth, or their family, or their religion, or any other circumstance except capacity or virtue. By oligarchy I mean an aristocracy drawn into fewer hands. The Venetian government, consisting of sixteen hundred nobles, was in my acceptation of the term, an aristocracy; when it became narrowed in effect to the *pregadi*, who were limited to two hundred and fifty, it became an oligarchy. Thus, at Athens, when the popular government was dispossessed by the four hundred, the constitution of Athens was aristocratical; when this was dissolved, and the government was vested in five thousand, among whom were all those who carried arms, the aristocracy was



enlarged; when afterward the government was confined to thirty, the aristocracy became an oligarchy; and when the thirty were still farther contracted to ten, it approached, as Tacitus generally says of the domination of a few, the licentiousness of royalty. It was under a similar contracted form of government, that the Thebans became traitors to Greece; and such was their plea, when reproved for assisting the Medes. They lamented that their government was neither a democracy, nor a legitimate oligarchy; which the scholiast on Thucydides interprets aristocracy; but under the dominion of a few, which they considered most illegal, and, as I have quoted from Tacitus, approaching a tyranny.

To explain this distinction by examples connected with our own affairs, the government of Scotland became an oligarchy, when, in the reign of James the Sixth, the administration of the public purse, and with it the power of the state, was conferred on eight men, called on that account octavians. The same has more than once been the misfortune of England. Whether its government were more monarchical or aristocratical in the thirteenth and fourteenth centuries, or whether it fluctuated to either side, as the king was capable or not, is uninteresting to our inquiry; but there can be no doubt, that Leicester and his faction of twenty-four, changed, in 1258, the existing government into an oligarchy, when they induced the Parliament at Oxford to choose twelve barons, to represent the community in future, under the pretence of relieving from trouble and expense those who had formerly been obliged to give their personal attendance in that assembly. In like manner, when, in 1386, the two houses invested a committee of eleven prelates and peers with full parliamentary powers, and compelled the king also to confer on them his prerogatives, the government was oligarchical; as it was, of course, by a similar appointment in 1398. Let me add, that the catastrophe of both was identical; for they brought ruin on themselves, and on all who promoted or opposed them.

In favour of oligarchies, such as I have mentioned, I know not a single advocate. Plato, it is true, recommends an oligarchy; but of what kind? An oligarchy in which philosophers rule, or the rulers are philosophers. By the same interpretation, Aristotle might be quoted as attached

to monarchy, when he, I fear, clandestinely flattered Alexander in his rodomontade of a king appointed by the royalty of his nature to command mankind.

Nor have aristocracies, according to my definition of them, had any advocates, though some have praised particular aristocracies, and others have admired peculiar circumstances resulting from some, which they have distinguished; as Guicciardini has praised the constancy and perseverance of the Venetian; and in this respect they are frequently preferable both to monarchies and democracies. But what is the value of this, when balanced against their manifold defects? Consider the wretched condition of the Venetian state. The same individuals were often alternately informers and accused, spies and suspected; nay, the spy was often at the same time submitted to a more prying inquisitor. Even this was insufficient to satisfy the universal jealousy, and a public reservoir was opened, to accept any casual notices, that treachery or malevolence might suggest. So jealous and wretched were they, that they durst employ no troops but foreign mercenaries, lest their government should be overthrown by their own citizens. Nor were their terrors vain; for, except a foreign, military, mercenary despotism, any alternative is preferable to an aristocracy. The catastrophe of this sort of government has been universally the same: for the people have always, as in Denmark, in 1660, and in Sweden, in 1772, exchanged with joy their aristocracy for a monarchy. What then must that state be, when monarchy, which Somers truly calls no form of government, is resorted to in exchange for an aristocracy as a refuge by the people?—*Ensor.*

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### SECTION III.

#### MONARCHIES.\*

THE separate advantages of a monarchy are, unity of counsel, activity, decision, secrecy, dispatch; the military

\* We confine ourselves here to limited monarchies; i. e. a government in which the king is bound to govern by certain fundamental laws.—*Ed.*

strength and energy which result from these qualities of government; the exclusion of popular and aristocratical contentions; the preventing, by a known rule of succession, of all competition for the supreme power; and thereby repressing the hopes, intrigues, and dangerous ambition of aspiring citizens.

The mischiefs, or rather the dangers, of monarchy, are, tyranny, expense, exaction, military domination; unnecessary wars, waged to gratify the passions of an individual; risk of the character of the reigning prince; ignorance in the governors of the interests and accommodation of the people, and a consequent deficiency of salutary regulations; want of constancy and uniformity in the rules of government, and, proceeding from thence, insecurity of person and property.—*Paley*.

Government by kings was first introduced into the world by the heathens, from whom the children of Israel copied the custom. It was the most prosperous invention the devil ever set on foot for the promotion of idolatry. The heathens paid divine honours to their deceased kings, and the Christian world hath improved on the plan, by doing the same to their living ones. How impious is the title of sacred Majesty applied to a worm, who in the midst of his splendour is crumbling into dust!—*Paine*.

Under every monarchical establishment, it may be necessary to distinguish the prince from his subjects, not only by the outward pomp and decorations of majesty, but also by ascribing to him certain qualities, as inherent in his royal capacity, distinct from, and superior to, those of any other individual in the nation. For, though a philosophical mind will consider the royal person merely as one man, appointed by mutual consent to preside over many others, and will pay him that reverence and duty which the principles of society demand; yet, the mass of mankind will be apt to grow insolent and refractory, if taught to consider their prince as a man of no greater perfection than themselves. The law, therefore, ascribes to the king, in his high political character, not only large powers and emoluments, which form his prerogative and revenue; but likewise certain attributes of a great and transcendent nature; by which the people are led to consider him in the light of a superior being, and to pay him that awful respect which may enable him, with greater

ease, to carry on the business of the government.—*Blackstone*.

As the exalting one man so greatly above the rest cannot be justified on the equal Rights of Nature, so neither can it be defended on the authority of Scripture; for the will of the Almighty, as declared by Gideon and the prophet Samuel, expressly disapproves of government by Kings. All anti-monarchical parts of the Scripture have been very smoothly glossed over in monarchical governments, but they undoubtedly merit the attention of countries which have their governments yet to form. “Render unto Cæsar the things which are Cæsar’s,” is the Scripture doctrine of Courts, yet it is no support of monarchical government, for the Jews at that time were without a king, and in a state of vassallage to the Romans.—*Milton*.

Monarchy is ranked in Scripture as one of the sins of the Jews, for which a curse in reserve is denounced against them.—*Paine*.

If we inquire into the business of a king, we shall find that in some countries they have none; and after sauntering away their lives without pleasure to themselves or advantage to the nation, they withdraw from the scene, and leave their successors to tread the same idle ground. In absolute monarchies the whole weight of business, civil and military, lies on the king; the children of Israel, in their request for a king, urged this plea, “that he may judge us, and go out before us, and fight our battles.” But in countries where he is neither a judge, nor a general, a man would be puzzled to know what *is* his business.—*Idem*.

In England the king hath little more to do than to make war and give away places; which, in plain terms, is to impoverish the nation, and set it together by the ears. A pretty business, indeed, for a man to be allowed eight hundred thousand sterling a-year for, and worshipped into the bargain! Of more worth is one honest man to society, and in the sight of God, than all the crowned ruffians that ever lived.—*Idem*.

But, after all, what is this metaphor called a crown, or rather, what is monarchy? Is it a thing, or is it a name, or is it a fraud? Is it “a contrivance of human wisdom,” or of human craft, to obtain money from a nation under specious pretences? Is it a thing necessary to a nation? If it is, in what does that necessity consist? What services



does it perform? What is its business, and what are its merits? Doth the virtue consist in the metaphor, or in the man? Doth the goldsmith that makes the crown, make the virtue also? Doth it operate like Fortunatus's wishing-cap, or Harlequin's wooden sword? Doth it make a man a conjurer? In fine, what is it? It appears to be a something going much out of fashion, falling into ridicule, and rejected in some countries, both as unnecessary and expensive.—*Paine.*

Royalty, after all, is an expensive government! What is a king without an aristocracy and a priesthood? and what are any of these, unless supported in splendour and magnificence? It is a system in which men are sought to be governed by the senses rather than by the understanding, and is more adapted to a barbarous than civilized state. Pageantry and ceremony, the parade of crowns and coronets, of gold keys, sticks, white wands, and black rods; of ermine and lawn, and maces and wigs;—these are the chief attributes of monarchy. They are more appropriate to the state of the king of the *Birmans* or of the *Ashantees* than to the sovereign of an European community. They cease to inspire respect when men become enlightened, when they have learned that the real object of government is to confer the greatest happiness on the people at the least expense: but it is a beggarly greatness, an absurd system, that would perpetuate such fooleries amidst an impoverished population,—amidst debts, and taxes, and pauperism.—*Black Book.*

The morality of a king is not to be measured by vulgar rules. His situation is singular. There are faults which do him honour, and virtues that disgrace him. A faultless, insipid equality, in his character, is neither capable of virtue nor vice in the extreme; but it secures his submission to those persons whom he has been accustomed to respect, and makes him a dangerous instrument of their ambition. Secluded from the world, attached from his infancy to one set of persons, and one set of ideas, he can neither open his heart to new connections, nor his mind to better information. A character of this sort, is a soil fittest to produce that obstinate bigotry in politics and religion, which begins with a meritorious sacrifice of the understanding, and finally conduct the monarch and the martyr to the block.—*Junius.*



One of the most plausible arguments that has ever been produced in favour of monarchical Government, is, that it excludes the countries which are subject to it from civil convulsions. If this were true, it certainly would have some claim upon reasonable men for their approbation and support; but the evidence of all history goes to controvert the correctness of the position. Instead of monarchical government securing a country against intestine divisions, and foreign wars, the reverse of this is the fact: civil broils and foreign disputes, with their usual attendants, private and public plunder, are the characteristic features of monarchical government. The history of every country in the world, and particularly of England, is full of evidence as to the truth of this assertion. It is unnecessary, however, to wander into the records of other countries; those of our own are ample enough for the purpose. What is the whole history of England, but a continued scene of rapine and desolation, with now and then a few solitary intervals of repose? These intervals, thinly scattered over a period of eight centuries, appear rather to be the effect of exhaustion, than of a wish for peace. During this protracted period, we shall scarcely ever find the nation in a quiet state when its resources were able to support a war; when there has been no excuse for plunging the people into a foreign war, their task-masters have sown the seeds of civil dissension, and these despots have always taken care to reap the harvest. The following account, extracted from the History of England, will convey more information upon the real nature of monarchical government than all that has been written upon the subject:—

William the Norman.....	1
William Rufus.....	2
Henry I.....	3

Interruption, by the Usurpation of Stephen.

Henry II.....	1
Richard I. ....	2
John.....	3

Interruption, by the Usurpation of Louis the Dauphin.

Henry III. ....	1
Edward I.....	2
Edward II. ....	3

Interruption, by the Abdication and Murder of Edward II.

Edward III. ....	1
Richard II. ....	2

Interruption, by the Deposition of this Monarch.

Henry IV. ....	1
Henry V. ....	2
Henry VI. ....	3

Interruption, by the Restoration of the House of York.

Edward IV. ....	1
Edward V. ....	2
Richard III. ....	3

Interruption, by the Usurpation of Henry Richmond.

Henry VII. ....	1
Henry VIII. ....	2

Interruption, by the Election of Lady Jane Grey, and the Bastardization of King Henry's Daughters.

Mary. ....	1
Elizabeth. ....	2

A foreign King called in to assume the Crown.

James I. ....	1
Charles I. ....	2

Interruption, by the Deposition of the Monarch, and the Establishment of other Forms of Government.

Charles II. ....	1
James II. ....	2

Interrupted by the Abdication of the King, and the Election of a Foreigner.

William III. ....	1
Anne. ....	2

Interrupted by the Parliamentary appointment of a Foreigner.

George I. ....	1
George II. ....	2
George III. ....	3
George IV. ....	4
William IV. ....	5

From the above statement, it appears, that since the time of William the Conqueror, there have not been more

than *three reigns* in succession, without some violent interruption.\*

The most ridiculous thing in the conduct of a nation, is that of suffering any office in its government to be sufficiently lucrative to render it an object of contention. It is the possession of power and profit, which is the general stimulus of ambition; take away these, and ambition will die away like a fire without fuel. Dominion and emolument are the food on which ambition fattens: take these away, and we shall hear but little of conquerors and wars. The reason why we read of so many, and such bloody contests for the English crown, is, that it is an office to which an immense salary is attached, and where there is no duty to perform, except that of dissipating the money, and abusing the authority. This is the duty of a king of England, or at least it is all the duty which he ever performs. An office of this sort is sure to be an object of contention, and the greatest proof of a want of wisdom in the nation, is its continuance.

We hear of no civil broils—we hear of no disposition to engage in foreign wars—on the part of the Government of America; and the reason is evident. We hear of no bloody contests for the office of President of the United States, and the moment we look at this fact, we are struck with the cause. In America there are no inducements for ambitious men to imbrue their hands in blood and crime for the sake of getting admission into public affairs; because, in the first place, such means would not procure what they wanted, and if they did procure it, the booty would not be an equivalent for the danger. But in America, there are neither kings, courts, aristocracy, nor national priesthood, and therefore there is none of the filth in which Government crimes are generated. It is these, which for so many centuries have been and still continue to be the bane of England's prosperity.

Courtiers and interested sycophants may disguise circumstances as they please, but they will find it difficult to overthrow the following proposition:—a public office is either useful or it is not; it is either a benefit to a nation or it is a useless incumbrance. The English monarchy is one of these, and it does not require much national wis-

\* See page 19.

dom to discover which. If it be the former, it ought to be continued; and if the latter, it ought to be abolished. The common sense of every reader, after perusing the facts above stated, is able to decide the merits of the question.

There is not any species of slavery, that is more easily sucked in than a slavish submission to names, or mere things of sound. This may be discovered in the conduct of the people of England during the whole of the period above alluded to. The English of the present day have been born and bred up in the same sort of political superstition as their forefathers, and though the light of political information has gone forth to the world, it is easy to see that the relics of former devotion are not destroyed. It is high time for nations to be rational. They have suffered enough, and they have only to *think* to act rightly. The popery of religion has in a great measure ceased, and it is time that the popery of government ceased also.—*Sherwin.*

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## SECTION IV.

### A MIXED GOVERNMENT.

A MIXED government is composed by the combination of two or more of the simple forms of government above described: and in whatever proportion each form enters into the constitution of a government, in the same proportion may both the advantages and evils, which we have attributed to that form, be expected: that is, those are the uses to be maintained and cultivated in each part of the constitution, and these are the dangers to be provided against in each. Thus, if secrecy and despatch be truly enumerated amongst the separate excellencies of regal government, then a mixed government, which retains monarchy in one part of its constitution, should be careful that the other estates of the empire do not, by an officious and inquisitive interference with the executive functions, which are, or ought to be, reserved to the administration of the prince, interpose delays, or divulge what it is expedient to conceal. On the other hand, if profusion, exac-



tion, military domination, and needless wars, be justly accounted natural properties of monarchy, in its simple unqualified form; then are these the objects to which, in a mixed government, the aristocratic and popular parts of the constitution ought to direct their vigilance; the dangers against which they should raise and fortify their barriers; these are departments of sovereignty, over which a power of inspection and control ought to be deposited with the people. The same observation may be repeated of all the other advantages and inconveniences which have been ascribed to the several simple forms of government; and affords a rule whereby to direct the construction, improvements, and administration of mixed governments—subjected however to this remark, that a quality sometimes results from the conjunction of the two simple forms of government, which belongs not to the simple existence of either: thus corruption, which has no place in an absolute monarchy, and little in a pure republic, is sure to gain admission into a constitution which divides the supreme power between an executive magistrate and a popular council.—*Paley.*

A mixed form of government would seem to be only a method of mitigating the grosser part of the evils of despotism and aristocratical misrule. This it may do, and nothing else. The question is one of the highest practical importance, and one which every man should attentively consider. . . . The opinion of the people is the best rule of right, taking the long run and the happiness of the people as the only just object of regard. The people may, however, be in error; what reasons have we for supposing that the other depositaries of power will remedy those errors, that they will always interpose their power at the right time, and never exert it at the wrong? Or why should we expect that those powers, almost uniformly exerted *against* the people, under one form, should be employed more uniformly *for* them under another? If all the tendencies of these other forms of power, by themselves, be adverse to the interests of the people, why should such principles of evil work *advantages* merely by being partially restrained? As far as power is limited by the people, it is true that it is incapable of the *amount* of mischief which might be calculated upon without that check; but why should the people *erect* a power to control the



exercise of their own will, which, as far as it *can* be effective, will, from all we know of human nature and history, be effective only for evil? If the argument should turn upon the superior promptitude and secrecy with which affairs may be conducted by one or a few, in opposition to a large assembly,—let these or the other popular assumptions be granted,—and inquire why all these endowments should not be found in a higher degree of perfection, in a man or men chosen from the whole body of the people specially to exercise these personal, but delegated powers? In all the points in which you are disposed to see advantages resulting from what you call *mixed* forms, put the inquiry honestly—whether all the branches might not be *better* filled by an elective than an hereditary process?

Talk of mixture in a constitution! of what is this mixture composed, but of one essentially useful ingredient, and two essentially noxious? What better reason, then, can we give for keeping these noxious ingredients, than that we are used to them; and being used to them, could not bear (for who could bear) to part with them? The greatest praise, then, that could be given to the noxious ingredients would be, that they were wholly inoperative; and, above all, they ought not to possess that proportion of force which should enable them to destroy, or materially to weaken, the efficiency of the only really useful ingredient. It will never do to talk of balance; leave that to Mother Goose and Mother Blackstone. Balance, indeed! A fine thing for politicians upon roses—by whom, on questions most wide in extent, and most high in importance, to save the toil of thinking, an allusion or an emblem is accepted as conclusive evidence, so as it has been accepted by others. What mean ye by this your balance? Know ye not, that in a machine of any kind, when forces balance each other, the machine is at a stand? Well, and in the machine of government, is the perpetual absence of all motion the thing which is wanted? And since you must have an emblem,—since you can neither talk, nor attempt to think, but in hieroglyphics—know ye not that, as in the case of the body natural, so in the case of the body politic, when motion ceases, the body dies?

So much for the *balance*; now for the *mixture*, to which such virtue is wont to be ascribed. Here is a form of government, in which the power is divided among three

interests—the interest of the great body of the people, that is of the *many*; and two separate interests, the interest of the *one*, and the interest of the *few*, both which are adverse to it; two separate and narrow interests, neither of which is kept on foot, but at the expense, to the loss, and by the sacrifice of the broader interest. This form of government, you say, has its advantages. Its advantages? Compared with what? Compared with those forms of government, in which the people have no power at all, or in which, if they have any, they have not so much? O, yes; with any such form of government for an object of comparison, its excellence is unquestionable. But, compare it with a form of government in which the interest of the people is the only interest that is looked to; in which neither a single man, with a separate and adverse interest of his own, nor a knot of men with a separate and adverse interest of their own, are to be found; where no interest is kept up at the expense, to the loss, or by the sacrifice, of the universal interest to it, where is, *then*, the excellence of this form of government?

Nay, but (says somebody) in the form of government in question, the supreme—the universal power is a mixture of the three powers corresponding to the three interests; the excellence produced by it is not in any one of the three ingredients taken by itself: no, it is in the mixture. Take away any one of the three masses of power, the mixture is changed—the excellence is diminished; take away any two of them, there is mixture no longer, and the excellence vanishes. Is this notion about mixture good? O, yes; good enough, so long as the respective natures of the several interests are kept out of sight. Look at them, and then see whether it be possible, that, taking the power of the people for the simple substance, any such quality as excellence, in comparison with the excellence of the simple substance, can be produced by the adding to it either or both of the two other powers, and thus making a mixture.

Let us define the simple substance—the real democracy, to be that form of government in which the interest of the whole people is the only interest provided for; and in which the only power is a power having for its object the support of that interest. If to this simple substance you add a power employed in the support of an interest of one

*single* person, and a power employed in the support of the interest of a comparatively *small knot* of persons, in either of these cases you have a mixture; well, and compared then with the simple substance, when and where can be the advantage of this mixture? What could man ever find to say in behalf of monarchy, but that monarchy is legitimacy? or in behalf of aristocracy, but that property is virtue?

These are fair questions; should any man feel disposed to answer them, let his answers be so too; and let them not—O! let them not—be either imprisonment or death.

Go to the flour-mill; get a sack of flour, in which there is flour, and nothing else; make bread of it—thus you have the simple substance. In making your bread, add now to the flour some powder of chalk, with or without some powder of burnt bones: in either case you have a mixture. Well, in either case, so long as you do not add to the flour too much of that which is *not* flour, your bread may afford nourishment—it may give support to the constitution of your natural body. But, does your body derive any nourishment, its constitution any support, or your bread any thing that can be called by the name of *excellence*, from either of these two ingredients?—*Bentham*.

The moving power in this species of government, is, of necessity, corruption. However imperfect election and representation may be in mixed governments, they still give exercise to a greater portion of reason than is convenient to the hereditary part; and therefore it becomes necessary to buy the reason up. A mixed government is an imperfect every-thing, cementing and soldering the discordant parts together by corruption, to act as a whole.

In a mixed government there is no responsibility: the parts cover each other till responsibility is lost; and the corruption which moves the machine, contrives at the same time its own escape. When it is laid down as a maxim, that *the King can do no wrong*, it places him in a state of similar security with that of idiots and persons insane, and responsibility is out of the question with respect to himself. It then descends upon the minister, who shelters himself under a majority in parliament, which, by places, pensions, and corruption, he can always command; and that majority justifies itself by the same authority with which it protects the minister. In this rotatory motion,

responsibility is thrown off from the parts, and from the whole.

When there is a part in a government which can do no wrong, it implies that it does nothing, and is only the machine of another power, by whose advice and direction it acts. What is supposed to be the King, in mixed governments, is the cabinet; and as the cabinet is always a part of the parliament, and the members justifying in one character what they advise and act in another, a mixed government becomes a continual enigma; entailing upon a country, by the quantity of corruption necessary to solder the parts, the expense of supporting all the forms of government at once, and finally resolving itself into a government by committee, in which the advisers, the actors, the approvers, the justifiers, the persons responsible, and the persons not responsible, are the same persons.

By this pantomimical contrivance, and change of scene and character, the parts help each other out in matters which neither of them singly would assume to act. When money is to be obtained, the mass of variety apparently dissolves, and a profusion of parliamentary praises passes between the parts. Each admires, with astonishment, the wisdom, the liberality, the disinterestedness of the other; and all of them breathe a pitying sigh at the burdens of the nation.—*Paine*.

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## SECTION V.

### DESPOTISM.

TYRANNY is distinguished into that of one person and of many. A body invading the rights of other bodies, and corrupting the laws, that it may exercise a despotism apparently legal, is the latter tyranny.... Under which tyranny would you choose to live? Under none: but had I the option, the tyranny of one person appears to me less odious and dreadful than that of many. A despot has always some intervals of good humour, which is never known in an assembly of despots. If a tyrant has done me an injury, there is his mistress, his confessor, or his page, by means of whom I may appease him, and obtain



redress. But a set of supercilious tyrants are inaccessible to all applications. Under one despot, I need only stand up against a wall when I see him coming by, or prostrate myself, or knock my head against the ground, according to the custom of the country; but under a body, perhaps, of a hundred despots, I may be obliged to repeat this ceremony a hundred times a-day. Another disagreeable circumstance is, if my farm happens to be in the neighbourhood of one of our great lords, it is unknown what damages I am obliged to put up with; and if I have a law-suit with a relative of one of their high mightinesses, it will infallibly go against me. I am very much afraid that in this world things will come to such a pass, as to have no other option than being either hammer or anvil. Happy he who gets clear of this alternative!—*Voltaire.*

Every government, let its form be what it may, contains within itself a principle common to all, which is, that of a sovereign power, or a power over which there is no control, and which controls all others: and as it is impossible to construct a form of government in which this power does not exist, so there must of necessity be a place, if it may be so called, for it to exist in.

In despotic monarchies, this power is lodged in a single person or sovereign. His will is law, which he declares, alters, or revokes, as he pleases, without being accountable to any power for so doing. Therefore, the only modes of redress in countries so governed, are by petition or insurrection.—*Paine.*

A despotic government knows no principle but *will*. Whatever the sovereign wills to do, the government admits him the inherent right, the uncontrolled power of doing. He is restrained by no fixed rule of right and wrong, for he makes the right and wrong himself, and as he pleases. If he happens (for a miracle may happen) to be a man of consummate wisdom, justice, and moderation, of a mild and affectionate disposition, disposed to business, and understanding and promoting the general good, all the beneficial purposes of government will be answered under his administration, and the people so governed may, while this is the case, be prosperous and easy. But as there can be no security that this disposition will last, and this administration continue, and still less security that his successor shall have the same qualities and pursue the



same measures, no people exercising their reason and understanding their rights, would, of their own choice, invest any one man with such a power.—*Paine*.

A considerable portion of personal freedom may be enjoyed under a despotic government ; or, in other words, a great part of human actions left uncontrolled ; but with this an enlightened mind will never rest satisfied, because it is at best but an indulgence flowing from motives of policy, or the lenity of the prince, which may be at any time withdrawn by the hand that bestowed it.—*Robert Hall*.

Absolute governments (though the disgrace of human nature) have this advantage with them, that they are simple. If the people suffer, they know the head from which their suffering springs, know likewise the remedy, and are not bewildered by a variety of causes and cures.—*Paine*.

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## CHAPTER V.

### HEREDITARY SUCCESSION.

THE whole system of social life is supported by conferring various degrees of power upon individuals, for mutual good. Men consider deeply, and weigh consequences attentively, in all ordinary circumstances of giving authority. In the supreme matters of government, where they have the highest stake, they act and sometimes argue as though it were best left to a lottery of a million of blanks to one prize. Do men think in any other case than that of the supreme magistrate or magistrates, to confer power upon an hereditary succession, or choose families for the depositaries of power, whose *only* claim *may* often be an accident—the accident of birth ? Do men select trustees of any species, and grant an *irrevocable* right to exercise their trust ; or, at least, a right which can only be recalled by violence and the doubtful result of physical contest ? If such institutions are good in one case, it is difficult to perceive why they should not be so in cases which only differ in degree. Birth *may*, in the workings

of events, produce a better—a wiser—a more just guardian than could or would have been chosen. But do men, calculating from the past for the future, in any other matter than that of their supreme governors, trust to such a fortuitous occurrence? Do they not say, and say truly, that the probabilities are against the success of such a step, when compared with the bestowment of the same portion of power upon proved men, making it, at the same time, revocable? The contrast, then, to be made, is precisely this,—the intrusting with authority one man, or number of men and their children, in a prescribed line of succession, or clothing with power a number of men of formed characters, and who may readily be disrobed of it upon the earliest indications of a will to abuse it. In other words, a despotism, or hereditary aristocracy, against a representative assembly—for that form of democracy is the only one which can *now* be brought into question.—*Anon.*

To the evil of Monarchy we have added that of Hereditary Succession; and as the first is a degradation and lessening of ourselves, so the second, claimed as a matter of right, is an insult and imposition on posterity. For all men being originally equals, no one by birth could have a right to set up his own family in perpetual preference to all others for ever; and though himself might deserve some decent degree of honours of his contemporaries, yet his descendants might be far too unworthy to inherit them. One of the strongest natural proofs of the folly of hereditary right in kings is, that nature disapproves it, otherwise she would not so frequently turn it into ridicule by giving mankind *an ass for a lion*. Secondly, as no man at first could possess any other public honours than were bestowed upon him, so the givers of those honours could have no right to give away the right of posterity. And though they might say, “We choose you for our head,” they could not, without manifest injustice to their children, say, “that your children, and your children’s children, shall reign over *ours* for ever;” because such an unwise, unjust, unnatural compact might, perhaps, in the next succession, put them under the government of a rogue or a fool. Most wise men, in their private sentiments, have ever treated hereditary right with contempt, yet it is one of those evils which, when once established, is not easily removed; many submit from fear, others from superstition,

and the most powerful part shares with the king the plunder of the rest.—*Paine*.

The most plausible plea which hath ever been offered in favour of hereditary succession, is that it preserves a nation from civil wars; and were this true, it would be weighty; whereas, it is the most barefaced falsity ever imposed upon mankind. The whole history of England disowns the fact. Thirty kings and two minors have reigned in that distracted kingdom since the Conquest, in which time there have been (including the Revolution) no less than eight civil wars and nineteen rebellions. Wherefore, instead of making for peace, it makes against it, and destroys the very foundation it seems to stand on.—*Idem*.

We have heard The Rights of Man called a levelling system: but the only system to which the word *levelling* is truly applicable, is the hereditary monarchical system. It is a system of mental levelling. It indiscriminately admits every species of character to the same authority. Vice and virtue, ignorance and wisdom, in short, every quality, good or bad, is put on the same level. Kings succeed each other, not as rationals, but as animals. It signifies not what their mental or moral characters are. Can we then be surprised at the abject state of the human mind in monarchical countries, where the government itself is formed on such an abject, levelling system? It has no fixed character. To-day it is one thing; to-morrow it is something else. It changes with the temper of every succeeding individual, and is subject to all the varieties of each. It is government through the medium of passions and accidents. It appears under all the various characters of childhood, decrepitude, dotage, a thing at nurse, in leading-strings, or on crutches. It reverses the wholesome order of nature. It occasionally puts children over men, and the conceits of non-age over wisdom and experience. In short, we cannot conceive a more ridiculous figure of government, than hereditary succession, in all its cases, presents.

Could it be made a decree in nature, or an edict registered in heaven, and man could know it, that virtue and wisdom should invariably appertain to hereditary succession, the objections to it would be removed; but when we see that nature acts as if she disowned and sported with the hereditary system—that the mental characters of suc-

cessors, in all countries, are below the average of human understanding—that one is a tyrant, another an idiot, a third insane, and some all three together, it is impossible to attach confidence to it, when reason in man has power to act.—*Idem.*

But it is not so much the absurdity as the evil of hereditary succession which concerns mankind. Did it ensure a race of good and wise men, it would have the seal of divine authority; but as it opens a door to the foolish, the wicked, and the improper, it hath in it the nature of oppression. Men who look upon themselves born to reign, and others to obey, soon grow insolent; selected from the rest of mankind, their minds are easily poisoned by importance, and the world they act in differs so materially from the world at large, that they have but little opportunity of knowing its true interests, and when they succeed to the government, are frequently the most ignorant and unfit of any throughout the dominions.—*Idem.*

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## CHAPTER VI.

### OF THE REPRESENTATIVE SYSTEM.

As in a country of liberty, every man who is supposed a free agent, ought to be his own governor, the legislative power should reside in the whole body of the people. But since this is impossible in large states, and in small ones is subject to many inconveniences, it is fit the people should transact by their representatives, what they cannot transact by themselves. . . . The great advantage of representatives is, their capacity of discussing public affairs. For this, the people collectively are extremely unfit, which is one of the chief inconveniences of a democracy.—*Montesquieu.*

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## SECTION I.

## THE CONSTITUENT BODY.

1. *Its Extent.*

IN order that the universal interest may be advanced, all particular interests must be comprehended and advanced, except, that in any case it can be shown, that the advancement of any particular interest would injure the advancement of the universal interest; and then this particular interest must and ought to be excluded—always keeping steadily before us this principle—that in no case should any exclusion be made, unless the comfort and security of *the whole* receives an absolute increase, as the result of the exclusion of *a few*. If it be not indeed the same thing in other words, virtual universality of suffrage and practical equality of representation, are included in the above definition, as means for advancing the universal interest.

What I mean by virtual universality of suffrage, is this: if the word *universal*, as applied to suffrage, were used without any other word to limit its signification, it would necessarily include the admission to the elective franchise of many persons of various descriptions, none of whom would be capable of exercising it to the advantage either of others or of themselves. Idiots, and infants in leading-strings, may serve for examples. By virtually universal suffrage, then, what I mean is, that which will remain of absolutely universal suffrage, when, from the number of individuals designated by the word *universal*, every deduction shall have been made, as, by specific considerations, shall have been shown to be productive of *benefit*; that benefit, at the same time, over-balancing every inconvenience resulting from the limit thus applied.

If, in the instance of any one individual of the whole body of the people, it be right that the power be possessed and exercised of contributing to the choice of a person, by whom, in the representative assembly, his interest shall be advocated, how can it be otherwise than right in the instance of any other such person? In the impossibility of finding an answer to this question, will be found contained the substance of the argument in support of universal suffrage. If, in the instance of any one individual, it be right



that he should possess a share, of a certain degree of magnitude, in the choice of a person to form one in the body of the representatives of the people, how can it be right that, in the instance of any other individual, the share should be either less or greater? In this question is contained the substance of the argument in support of *practical equality of representation*. *Universality of suffrage* has for its limit the need of deduction for divers special reasons. *Equality of representation* has for its limit the inconvenience which in the shape of *delay*,  *vexation*, and *expense*, could not fail to be the result of any endeavour to give existence to absolute *equality*.—*Bentham*.

If the community is to hold an effectual check over those who are to govern for it, the government, or at all events some integral and indispensable branch of it, must be committed to individuals chosen by the community at large or by its subdivisions. The Whigs say not,—and that it should be committed to somebody else, meaning themselves; and on this they and the community are at issue. And here rises to view the greatest political invention of the moderns; which is the system of Representation. And the plain and simple *rationale* of the right of Representation, unembarrassed with the consideration of what it may be one dishonest man's interest to defend, or another's to acquire, is, that all should be admitted equally, and that when all are so admitted, and not before, each man possesses the full enjoyment of all the influence his wealth, talents, or reputation, can confer on him, without infringing on the happiness of others. The principle of this is as clear as that of the right of equal admission to the market. The equality of admission does not make men possess an equality of influence, when they are there. On the contrary, it is precisely then that the rich man has the just advantage of the influence, which there is no intention to deny him. The fallacy is in stating, that the rich cannot have their proper influence in the market, unless the poor are kept out besides. Property should be represented; but then it should be every body's property; the fallacy is, that it should be only the property of those who happen to have great deal. As in the common market, so in the greater market of election. In such a contest of interests, every man's influence would fetch exactly what it was worth; and the theory which claims for the rich not only the influence of their riches, but the exclusion of

the poor besides, is as visibly and demonstrably unjust, as in the market case produced as parallel. This furnishes the foundation of the right of Universal Suffrage; a right which no reasonable man that understands it will ever consent to disavow, however remote the actual condition of society may be from its practical enjoyment. To think common sense at home, is a luxury that might have been indulged in in Egypt; even though all the surrounding world worshipped a crocodile or a monkey. Closely connected with the universality of suffrage, is the opportunity of its frequent exercise. For the only practical way of preserving a check over those appointed to the directorship of the great Company, is to send them back to their constituents frequently; and the more frequent the reference, the more perfect the check. And the period which would occur to every man who had no sinister interests to promote, would be that it should be *annual*. The organ of the Whigs once undertook to ask, why the period should be precisely a year, and what virtue there was in a planet's periodic time, that should connect it with a seat in parliament. To which the answer is by asking, why men do other things yearly, and not, for instance, every eighteen months. Why do men make up their accounts once a-year, hold long vacations once a-year, keep their birthdays once a-year, visit their friends once a-year, physic and purge, eat mince-pies, issue Army-lists and the Red-book, and take the sacrament by Act of Parliament,—if it is not that the necessary connection of the seasons with many of the acts of man, makes it highly convenient for him to bind up his other actions in the same routine, and hence in all things that require regularity of performance, his option is in reality to do them once a-year, or once in two. But between these there is a gulf, which, passed, leads easily to once in seven, or once in ten. The tradesman who should defer making up his accounts to a second year, would soon bring them to a conclusion in the Fleet; and if all the members of the community had as lively a sense of their interests as the tenant of a chandler's shop, they would be equally jealous of the laxity of delay. Sensible men make their stand upon the right side of the gulf, and fools upon the other.

On these two important points of universal suffrage and its annual exercise, the objections oftenest urged relate to

some impracticability or difficulty to arise in the execution. On which it may be answered, that if an intelligent committee were appointed, with instructions to devise the mode in which the greatest obstacles should be thrown in the way of the quiet exercise of the operation of appointing representatives, it would clearly devise the actual one. In the first place, it is plain, that it would advise the compression of the power of choice into the hands of a few, that there might be a physical possibility of the few being bribed. Secondly : it would recommend the extension of the period of service, in order that it might be better worth while for the candidates to bribe, and that the electors might be enabled to indulge in riot on an occasion that occurs but seldom, in a way they could not do if it occurred more frequently. Thirdly and lastly : it would suggest that each man's way of voting should be published, in order that the greatest possible scope might be given to the operation of party feelings, and no man be able to escape by holding his peace. This is what a sensible committee would recommend; and, by consequence, it is what sensible men on the other side would recommend to be undone. It is evident at sight, that the difficulties suggested are not only factitious and artificial, but require great pains to secure and keep them in existence. It would be as much easier to take men's votes annually than septennially, as for a boy to comb his hair daily than once a-week,—if the management was in the hands of those who had an interest in its success. And the votes of an entire population might be taken with as much facility as a census, if the way that leads to such a result was followed, instead of the way that does not. When the lion builds its own cage, interests hostile to the good of the community will pare their own claws. But whether their claws are pared or not, it is satisfactory to know what arrangements are directed to the good of the community, and what are curiously and scientifically adjusted to its opposite.

The objection constantly made to universal suffrage is, that it would produce universal hostility and anarchy. This is at once denied; it is denied that universal suffrage would cause the smallest approach to these evils. It shall be shown why not.

It is asked, hostility against what object, and under

what provocation? Alas! in *the present* state of things, provocation is but too abundant; in a *reformed* state of things there would be absolutely none. Instead of provocation, there would be its exact opposite. Instead of old provocation, there would be fresh, and never-before-experienced beneficence. Where should provocation find its object? Not surely in a branch of government, now for the first time, at the instance of the people themselves, repaired and improved for their benefit, and then placed in their own hands. If there were mischievous activity, on what occasion or in what shape should it exert itself? What is the sort of *power* which the people would be called upon to exercise? Is it, as in legislation, direct, imperative, and coercive power? No: but a mere exercise of the unimperative power of deputation, an exercise performed under the veil of the most tranquil, and silent, and absolutely impenetrable secrecy, performed by a mere turn of the hand, and begun and ended in the same moment by each individual;\* a power which is but the fraction of a fraction, the power of making one of a vast multitude [the whole number of the voters in each elective district], a majority of which must join, ere they can seat so much as one man in an assembly [namely, the House of Commons], with whom another large majority must join, and with that large majority, the majority of another assembly [namely, the House of Lords], ere he can give effect to any power by which *command* is issued, and *obedience* produced.

But, suppose a considerable number of the people should be inclined to effect mischief, what sort of prospect could they entertain of effecting this purpose? No individual could expect to have the least part in it; if the supposed mischief were accomplished, it must be by the majority of a set of persons [namely, the two Houses of Parliament] all different from the electors, and the whole of this majority must consist of individuals bent upon the execution of this same pernicious measure: and what could this majority expect to gain by it? No: when mischief has been aimed at, and perpetrated by the passions of the multitude, it has never been aimed at by any such deep-laid schemes as

\* This assumes, as a necessary concomitant to universal suffrage, the use of the Ballot.



this. No: it is not in the dangerousness and mischievousness, it is in the safety and beneficence of this and the other principles of reform, that the opposition made by *the ruling few* has its real ground. Not the want of pure and instructive light in the political world, but the abundance of it is the true object of their fears. If the increase of light were any part of their object, it is no secret to them how to compass it. In regard to intellectual talents, what is the real, the everlasting fear? Lest it be deficient? No: but lest it be abundant. Yes: by *religion*, to delude the people with false and political lights; in politics, to keep them plunged in the thickest darkness;—such is the policy of “*great characters*” in their “higher situation;” such is ever destined to be the policy of the ruling few, when vouchsafing to determine the lot of *the swinish multitude*.

The manner, too, if the instruction by which the exercise of this right would be preceded in the reformed state of things, compared with the present, is worth notice. It would not be, as now, by loud and impassioned harangues; nor by thronging, which, if not actually tumultuous, is always pretended, and always wished to be so, by the incessantly increasing tyranny. No: not by these means, but by a course of writing, on the part of those to be elected, and of reading on the part of the electors. Yes: *the pen* is the true means for administering sound, dispassionate, and indelusive information: *the eye*, in the stillness and leisure of the closet, applied to the silent paper, is the true organ for the reception of the matchless blessing. *Lips* on the one part, *ears* on the other part; these are the so imperfectly adapted, the only original employable organs; fugitive, questionable, and delusive is the only information capable of being communicated and received by such organs—the sole and imperfect resource of immaturity, unlettered, and unenlightened times.—*Bentham*.

The people have no bias to be knaves. No ambition prompts them; no aspiring or unsociable passions incite them; they have no rivals for place, no competitor to pull down; they have no darling child, or pimp, or relations, to raise; they have no occasion for dissimulation or intrigue; they can serve no end by faction; they have no *interest* but *the general interest*.—*Gordon*.

Should it be said, that he who has no substance has no



right to vote on questions of public contribution, or public expenditure; I answer, that our first consideration is not to vote taxes, but to elect persons. But suppose that this was not the primary object, and that our attention was occupied by the qualifications of legislators; I admit, that in England their chief business regards the ways and means to supply the prodigalities of government. But this can never happen in a well organized, economical state. Yet still, adding another supposition, and considering, that not to control, but to contribute, must be their chief employment, why should one of the smallest property, or of no property, be excluded? I speak not of beggars, for, as Plato said on a similar occasion, our Commonwealth admits not of such outcasts. Want of property is an excellent reason why individuals should not contribute, but none why citizens should be disfranchised. This principle directed the administration of the Athenians. Thus, they who had only five minæ (fifteen pounds) paid nothing; while they who had five hundred minæ, were obliged to keep horses, to exhibit choruses, to preside over the gymnasium, to guard the city, and, during war, to furnish galleys, and to pay a considerable tribute. This policy might well excite the triumph of their Orators. The Athenians, says Isocrates, established by universal consent a form of government, not only the most popular, but also the most equitable; for this democracy did not rashly confound all distinctions. They who framed it, thought that the people as sovereign should appoint the magistrates, punish delinquents, and have the appellat jurisdiction; that they who had leisure and property should administer the revenues of the state, and that, as they executed their charge justly or not, they should receive praise or punishment.

Want of property is no proof of wanting industry, talents, or virtue. Then, why should a deficiency of fortune annihilate a man's political consequence? If an individual be without property, and not supported by public or private benefactions, he must, unless a robber, be considered industrious. But a man of property has no such assurance in his favour. A poor man so circumstanced has therefore a much better right to vote, than a rich man on the mere account of contributing to the state. A labourer, according to his means, contributes more by paying the duty on

salt or soap, than a nobleman by paying the taxes on carriages and servants. He does more, he not only exceeds the grandee or the opulent commoner by his relative, but by his positive contribution; and to such extent, that the labourer is for the most part the whole contributor, while the principal proprietors do little more than hand over to the state part of what they, luxurious and idle, have derived from the thrift and activity of the industrious. Then is it not most unjust to disfranchise this poor industrious man, whose life is dedicated to the pleasures of the opulent, and whose assiduity and exertions establish the strength and adorn the magnificence of the state? If a poor man be prodigal, disgrace him, but do not consider that, because he is poor, he is reprobate. A large family, sickness, blights, various casualties, oppress the best men. Even their virtues may make them destitute. Are these to be rejected as outcasts? This is the height of cruelty; it is to treat wretchedness as a crime, and to add the injustice of man to the unkindness of nature. Mably, in his praise of the constitution of the Massachusetts, infers, that by excluding from political rights all those who have no property, industry will be encouraged. But I ask, will any one be induced to accumulate wealth, in order to vote for a member to this or that assembly, who would not otherwise endeavour to attain property for the comforts and consequences which it imparts?—*Ensor*.

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## 2. *Freedom of the Constituent Body.*

Because elections ought to be free, the King commandeth upon great forfeiture, that no man by force of arms nor by malice, or menacing, shall disturb any to make free election.—3 *Edw. I. c. 5.*

By declaration of Rights, "All elections of Members of Parliaments ought to be free."—1 *William and Mary*, Sess. 2. cap. 2.

"By the ancient common laws of the land, all elections ought to be free," and forasmuch as the freedom of elections of Members to serve in Parliament is of the utmost consequence to the preservation of the Rights and Liberties of this Kingdom, an infringement of that freedom by violence voids the election.—18 *Geo. II. c. 30.*

By a resolution of the House, passed at the commence-

ment of every session, "It is a high infringement of the liberties and privileges of the Commons, for any Lord of Parliament, or any Lord Lieutenant of any county, to concern themselves in the election of Members of Parliament."

By another Resolution, 17, Journ. 507, "It is highly criminal in any minister or servant under the Crown, directly or indirectly to use the power of office in the election of Representatives to serve in Parliament; and an attempt of such influence will at all times be resented by this House, as aimed at its honour, dignity, and independence, as an infringement of the dearest Rights of every subject throughout the empire, and tending to sap the basis of this free and happy Constitution."

To say that a suffrage ought to be free, what is it but to say, that the will expressed by it ought to be the very will of the person by whom it is so expressed—the will of that person, and of that person only—his self-formed will—the product of his own judgment—not produced by the belief of the existence of any will or wish considered as entertained by any other person, at whose hands the voter entertains an eventual expectation of receiving good or evil, in any shape:—good or evil, according as the said voter shall or shall not have conformed, in giving his vote, to the wishes of this other person. According to this explanation, if, in the instance of any voter, the vote which is given is not free, it is manifestly not genuine—it is spurious:—under the disguise of the expression of the will of the voter, it is the will of some other person. In so far as it is given as the will of the voter, it is an act of imposture.—*Bentham*.

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## SECTION II.

### THE REPRESENTATIVE BODY.

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#### 1. *Its requisite Qualities.*

Representation may be considered complete when it collects to a sufficient extent, and transmits with perfect fidelity, the real sentiments of the people; but this it may

fail of accomplishing through various causes. If its electors are but a handful of people, and of a peculiar order and description; if its duration is sufficient to enable it to imbibe the spirit of a corporation; if its integrity be corrupted by treasury influence, or warped by the prospect of places or pensions; it may, by these means, not only fail of the end of its appointment, but fall into such an entire dependence on the executive branch, as to become a most dangerous instrument of arbitrary power. The usurpation of the emperors at Rome would not have been safe, unless it had concealed itself behind the formalities of a senate.

—*Robert Hall.*

The union between a representative and his constituents, ought to be strict and entire. . . . The [long] duration of a parliament sets its members at a distance from the people, begets a notion of independence, and gives the minister so much leisure to insinuate himself into their graces, that before the period is expired, they become very mild and complying. Sir Robert Walpole used to say, that "every man had his price;" a maxim on which he relied with so much security, that he declared he seldom troubled himself with the election of members, but rather chose to stay and buy them up when they came to the market.—*Idem.*

The immediate cause of all the mischief of misrule is, that the men acting as the representatives of the people have a private and sinister interest, and sufficient power to gratify that interest, producing a constant sacrifice of the interest of the people. The secondary cause of the mischief—the cause of this immediate cause—is this, that these same agents are in one case unduly independent, in another, unduly dependent. They are independent of their principals—the people; and dependent upon the Conservator-General, by whose corruptive influence the above-mentioned sacrifice is produced.—*Bentham.*

Receiving the wages of corruption by a representative, is the mischief against which the unpermanence of his seat is likely to act as a security. Now, any member of the House of Representatives, who holds an office producing to him either money, or power, actually harbours in his bosom a portion of the pestilential matter of corruption, and is under the dominion of its baneful influence.—*Idem.*



## 2. *Its Advantages.*

An assembly chosen by the people will consist, for the most part, of men of pre-eminent knowledge and talent ; or in other words, of men who surpass the bulk of the people in the ability of discerning right from wrong, and making each appear. They will be men educated on terms of equality with others, contesting their opinions, and having their own subjected to the most severe scrutiny, and therefore fitted, in the highest degree, to understand the maxims and principles by which the nation, at that particular period of its history, is influenced. No individual passion can command the nation's resources to its gratification. Neither revenge, nor lust, nor prejudice, the motives which may, perhaps, sway the individuals composing the assembly, can ever be expected simultaneously to urge that assembly, in its corporate capacity, into untimely or ill-considered actions. There is the best guarantee for the reception of TRUTH, because discussion *must* be allowed, and this is the best possible assurance of the detection of the sophistry and intrigue of evil-intentioned men. If irregular motives of action lead some into error, the same class of motives will induce others to expose and rectify it. There will be the highest security against violent and mischievous changes, because the real inclinations of those with whom the actual power rests, will always be known.—Ignorance of the popular mind has ever been at the root of all revolutionary changes. In addition, such an assembly is never of doubtful birth or inheritance—never engages in wars from relationship—is never in a state of infancy, nor sickness, nor dotage—is never obstinate, nor timid, nor jealous—nor has it any of those defects, moral or otherwise, to which may be ascribed the greater part of all that men agree in calling misgovernment. Above all, when any members of such an assembly neglect the true end of their appointment, the public welfare, the people have an easy and efficacious remedy, in the quiet, yet irresistible exercise of their proper prerogatives.—*Anon.*

It is true, that the people in the mass are not *always* the best judges of their own welfare. Though rarely so, they have sometimes decided adversely to their real interests ; but they have been uniformly right when left to themselves,



in selecting those who are most likely to decide the best for them. The people, as a body, always must intend their own happiness, but they are not always in a situation to see the farthest, prospectively or otherwise. They have, however, a marvellous sagacity in discovering who are the worthiest trustees for managing their affairs. So that, in a body of men, chosen from the mass of the people, by the people themselves, there will be an amount of intelligence and aptness for government, very far exceeding the average proportion of the bulk of the people, and there will be a corresponding probability of wise and beneficial measures. If, indeed, it were otherwise, democracy would still be the best chance for the people: because, in that case, they have only ignorance to contend with; in all other forms they may have ignorance and bad intentions too.—*Anon.*

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### 3. *Its Power and Jurisdiction.*

The power and jurisdiction of Parliament, says Sir Edward Coke, is so transcendent and absolute, that it cannot be confined, either for causes or persons, within any bounds. . . . It hath sovereign and uncontrollable authority in the making, confirming, enlarging, restraining, abrogating, repealing, reviving, and expounding of laws, concerning matters of all possible denominations, ecclesiastical or temporal, civil, military, maritime, or criminal: this being the place where that absolute despotic power, which must in all governments reside somewhere, is intrusted by the constitution of these kingdoms. All mischiefs, any grievances, operations, and remedies, that transcend the ordinary course of the laws, are within the reach of this extraordinary tribunal. It can regulate or new-model the succession to the crown; as was done in the reign of Henry VIII. and William III. It can alter the established religion of the land; as was done in a variety of instances, in the reigns of King Henry VIII. and his three children. It can change and create afresh even the constitution of the kingdom, and of parliaments themselves; as was done by the act of union, and the several statutes of triennial and septennial elections. It can, in short, do every thing that is not naturally impossible; and therefore some have not scrupled to call its power, by a

figure rather too bold, the omnipotence of Parliament. True it is, that what the Parliament doth, no authority upon earth can undo.\*—*Blackstone*.

When we say that the legislature is supreme, we mean, that it is the highest power known to the constitution; that it is the highest in comparison with the other subordinate powers established by the laws. In this sense, the word supreme is relative, not absolute. The power of the legislature is limited, not only by the general rules of natural justice, and the welfare of the community, but by the forms and principles of our particular constitution. If this doctrine be not true, we must admit, that king, lords, and commons, have no rule to direct their resolutions, but merely their own will and pleasure. They might unite the legislative and executive power in the same hands, and dissolve the constitution by an act of parliament.—*Junius*.

A government, on the principles on which constitutional governments, arising out of society, are established, cannot have the right of altering itself. If it had, it would be arbitrary. It might make itself what it pleased; and wherever such a right is set up, it shows there is no constitution. The act by which the English Parliament empowered itself to sit for seven years, shows there is no constitution in England. It might, by the same self-authority, have sat any greater number of years, or for life. The bill which Mr. Pitt brought into parliament, to reform parliament, was on the same erroneous principle. The right of reform is in the nation, in its original character; and the constitutional method would be, by a general convention, elected for the purpose. There is, moreover, a paradox in the idea of vitiated bodies reforming themselves.—*Paine*.

\* Many of the positions in this article, are successfully controverted in those that follow.

## CHAPTER VII.

## THE ENGLISH CONSTITUTION.\*

## SECTION I.

## ITS CONSTITUENT CHARACTER.

Is our constitution a good one? It will gain in our esteem by the severest inquiry. Is it bad? Then its imperfections should be laid open and exposed. Is it, as is generally confessed, of a mixed nature, excellent in theory, but defective in its practice? Freedom of discussion will be still requisite to point out the nature and source of its corruptions, and apply suitable remedies. If our constitution be that perfect model of excellence it is represented, it may boldly appeal to the *reason* of an enlightened age, and need not rest on the report of an implicit faith.—*Robert Hall.*

Most of those who treat of the British constitution, consider it as a scheme of government formally planned and contrived by our ancestors, in some certain era of our national history, and as set up in pursuance of such regular plan and design. Something of this sort is secretly supposed, or referred to, in the expressions of those who speak of the “principles of the constitution,” of bringing back the constitution to its “first principles,” of restoring it to its “original purity,” or “primitive model.” Now, this appears to me an erroneous conception of the subject. No such plan was ever formed, consequently no such first principles, original model, or standard, exist: I mean, there never was a date or point of time in our history, when the government of England was to be set up anew, and when it was referred to any single person, or assembly, or committee, to frame a charter for

\* It is obvious that in a work like the present, an outline of the leading features of the English Constitution, is all that could be attempted. I have some idea of publishing a separate work on the British Constitution, which will embrace a view of the whole theory of the British Polity.

the future government of the country; or when a constitution so prepared and digested, was, by common consent, received and established. In the time of the civil wars, or rather between the death of Charles the First and the restoration of his son, many such projects were published, but none were carried into execution. The Great Charter, and the Bill of Rights, were wise and strenuous efforts to obtain security against certain abuses of regal power, by which the subject had been formerly aggrieved: but these were, either of them, much too partial modifications of the constitution, to give it a new original. The constitution of England, like that of most countries of Europe, hath grown out of occasion and emergency; from the fluctuating policy of different ages; from the contentions, successes, interests, and opportunities, of different orders and parties of men in the community. It resembles one of those old mansions, which, instead of being built all at once, after a regular plan, and according to the rules of architecture, at present established, has been reared in different ages of the art, has been altered from time to time, and has been continually receiving additions and repairs suited to the taste, fortune, or conveniency, of its successive proprietors. In such a building, we look in vain for the elegance and proportion, for the just order and correspondence of parts, which we expect in a modern edifice; and which external symmetry, after all, contributes much more, perhaps, to the amusement of the beholder, than the accommodation of the inhabitant.

In the British, and possibly in all other constitutions, there exists a wide difference between the actual state of the government and the theory. The one results from the other: but still they are different. When we contemplate the *theory* of the British government, we see the king invested with the most absolute personal impunity; with a power of rejecting laws, which have been resolved upon by both houses of parliament; of conferring by his charter, upon any set or succession of men he pleases, the privilege of sending representatives into one house of parliament, as by his immediate appointment he can place whom he will in the other. What is this, a foreigner might ask, but a more circuitous despotism? Yet, when we turn our attention from the legal extent to the actual exercise of royal authority in England, we see these formid-

able prerogatives dwindled into mere ceremonies; and, in their stead, a sure and commanding influence, of which the constitution, it seems, is totally ignorant, growing out of that enormous patronage which the increased territory and opulence of the empire have placed in the disposal of the executive magistrate.—*Paley*.

As with us, the executive power of the laws is lodged in a single person, they have all the advantages of strength and despatch, that are to be found in the most absolute monarchy; and as the legislature of the kingdom is intrusted to three distinct powers, entirely independent of each other; first, the king; secondly, the lords spiritual and temporal, which is an aristocratical assembly of persons selected for their piety, their birth, their wisdom, their valour, or their property; and, thirdly, the House of Commons, freely chosen by the people among themselves, which makes it a kind of democracy; as this aggregate body, actuated by different springs, and attentive to different interests, compose the British Parliament, and have the supreme disposal of every thing; there can no inconvenience be attempted by either of the three branches, but will be withstood by one of the other two; each branch being armed with a negative power sufficient to repel any innovation which it shall think inexpedient or dangerous.—*Blackstone*.

The constitutional government of this island is so admirably tempered and compounded, that nothing can endanger or hurt it, but destroying the equilibrium of power between one branch of the legislature and the rest. For if ever it should happen that the independence of any one of the three should be lost, or that it should become subservient to the views of either of the other two, there would soon be an end of our constitution.—*Idem*.

The theory of the English constitution presents three independent powers; the king as executive head, with a negative in the legislature; an hereditary House of Peers; and an assembly of Commons, who are appointed to represent the nation at large. From this enumeration it is plain, that the people of England can have no liberty, that is, no share in forming the laws, but what they exert through the medium of the last of those bodies; nor then, but in proportion to its independence of the others. The independence, therefore, of the House of Commons, is the



column on which the whole fabric of our liberty rests.—  
*Robert Hall.*

*The government of England*, which has been sometimes called a mixed government, sometimes a limited monarchy, is formed by a combination of the three regular species of government: the monarchy residing in the King; the aristocracy in the House of Lords; and the republic being represented by the House of Commons. The perfection intended by such a scheme of government is, to unite the advantages of the several simple forms, and to exclude the inconveniences. To what degree this purpose is attained or attainable in the British constitution; wherein it is lost sight of or neglected; and by what means it may in any part be promoted with better success, the reader will be enabled to judge, by a separate recollection of these advantages and inconveniences, as enumerated in the preceding chapter, and a distinct application of each to the political condition of this country. We will present our remarks upon the subject in a brief account of the expedients by which the British constitution provides,—

1st. For the interests of its subjects.

2dly. For its own preservation.

The contrivances for the first of these purposes, are the following :—

In order to promote the establishment of salutary public laws, every citizen of the state is capable of becoming a member of the senate: and every senator possesses the right of propounding to the deliberation of the legislature whatever law he pleases.

Every district of the empire enjoys the privilege of choosing representatives, informed of the interests, and circumstances, and desires of their constituents, and entitled by their situation to communicate that information to the national council. The meanest subject has some one whom he can call upon to bring forward his complaints and requests to public attention.

By annexing the right of voting for members of the House of Commons to different qualifications in different places, each order and profession of men in the community become virtually represented; that is, men of all orders and professions, statesmen, courtiers, country gentlemen, lawyers, merchants, manufacturers, soldiers, sailors, interested in the prosperity, and experienced in the occu-

pation, of their respective professions, obtain seats in parliament.

The elections, at the same time, are so connected with the influence of landed property, as to afford a certainty that a considerable number of men of great estates will be returned to parliament; and are also so modified, that men the most eminent and successful in their respective professions, are the most likely, by their riches, or the weight of their stations, to prevail in these competitions.

The number, fortune, and quality of the members; the variety of interests and characters amongst them; above all, the temporary duration of their power, and the change of men which every new election produces; are so many securities to the public, as well against the subjection of their judgments to any external dictation, as against the formation of a junto in their own body sufficiently powerful to govern their decisions.\*

The representatives are so intermixed with the constituents, and the constituents with the rest of the people, that they cannot, without a partiality too flagrant to be endured, impose any burden upon the subject, in which they do not share themselves; nor scarcely can they adopt an advantageous regulation, in which their own interests will not participate of the advantage.\*

The proceedings and debates of parliament, and the parliamentary conduct of each representative, are known by the people at large.

The representative is so far dependent upon the constituent, and political importance upon public favour, that a member of parliament cannot more effectually recommend himself to eminence and advancement in the state, than by contriving and patronising laws of public utility.

When intelligence of the condition, wants, and occasions, of the people, is thus collected from every quarter; when such a variety of invention, and so many understandings, are set at work upon the subject; it may be presumed, that the most eligible expedient, remedy, or improvement, will occur to some one or other: and when a wise counsel, or beneficial regulation, is once suggested, it may be expected, from the disposition of an assembly so

\* So says Paley; how far the facts of the case bear him out, all men know. The same may be said of much that follows, but we shall expose his sophistry after laying it before our readers.

constituted as the British House of Commons is, that it cannot fail of receiving the approbation of a majority.

To prevent those destructive contentions for the supreme power, which are sure to take place where the members of the state do not live under an acknowledged head, and a known rule of succession; to preserve the people in tranquillity at home, by a speedy and vigorous execution of the laws; to protect their interest abroad, by strength and energy in military operations, by those advantages of decision, secrecy, and despatch, which belong to the resolutions of monarchical councils;—for these purposes, the constitution has committed the executive government to the administration and limited authority of an hereditary king.

In the defence of the empire; in the maintenance of its power, dignity, and privileges, with foreign nations; in the advancement of its trade by treaties and conventions; and in the providing for the general administration of municipal justice, by a proper choice and appointment of magistrates; the inclination of the king and of the people usually coincides; in this part, therefore, of the regal office, the constitution intrusts the prerogative with ample powers.

The dangers principally to be apprehended from regal government, relate to the two articles *taxation* and *punishment*. In every form of government, from which the people are excluded, it is the interest of the governors to get as much, and of the governed to give as little, as they can: the power also of punishment, in the hands of an arbitrary prince, oftentimes becomes an engine of extortion, jealousy, and revenge. Wisely, therefore, hath the British constitution guarded the safety of the people, in these two points, by the most studious precautions.

Upon that of *taxation*, every law which, by the remotest construction, may be deemed to levy money upon the property of the subject, must originate, that is, must first be proposed and assented to, in the House of Commons; by which regulation, accompanying the weight which that assembly possesses in all its functions, the levying of taxes is almost exclusively reserved to the popular part of the constitution, who, it is presumed, will not tax themselves, nor their fellow-subjects, without being first convinced of the necessity of the aids which they grant.

The application also of the public supplies is watched with the same circumspection as the assessment. Many taxes are annual ; the produce of others is mortgaged, or appropriated to specific services : the expenditure of all of them is accounted for in House of Commons ; as computations of the charge of the purpose for which they are wanted, are previously submitted to the same tribunal.

In the infliction of *punishment*, the power of the crown, and the magistrate appointed by the crown, is confined by the most precise limitations : the guilt of the offender must be pronounced by twelve men of his own order, indifferently chosen out of the county where the offence was committed : the punishment, or the limits to which the punishment may be extended, are ascertained, and affixed to the crime, by laws which know not the person of the criminal.

And whereas arbitrary or clandestine confinement is the injury most to be dreaded from the strong hand of the executive government, because it deprives the prisoner at once of protection and defence, and delivers him into the power, and to the malicious or interested designs, of his enemies ; the constitution has provided against this danger with double solicitude. The ancient writ of habeas corpus, the habeas corpus act of Charles the Second, and the practice and determinations of our sovereign courts of justice founded upon these laws, afford a complete remedy for every conceivable case of illegal imprisonment.\*

\* Upon complaint in writing by, or on behalf of, any person in confinement, to any of the four courts of Westminster Hall, in term-time, or the lord chancellor, or one of the judges, in the vacation ; and upon a probable reason being suggested to question the legality of the detention ; a writ is issued to the person in whose custody the complainant is alleged to be, commanding him within a certain limited and short time to produce the body of the prisoner, and the authority under which he is detained. Upon the return of the writ, strict and instantaneous obedience to which is enforced by very severe penalties, if no lawful cause of imprisonment appear, the court or judge, before whom the prisoner is brought, is authorized and bound to discharge him ; even though he may have been committed by a secretary, or other high officer of state, by the privy council, or by the king in person : so that no subject of this realm can be held in confinement by any power, or under any pretence whatever, provided he can find means to convey his complaint to one



Treason being that charge, under colour of which the destruction of an obnoxious individual is often sought; and government being at all times more immediately a party in the prosecution; the law, beside the general care with which it watches over the safety of the accused, in this case, sensible of the unequal contest in which the subject is engaged, has assisted his defence with extraordinary indulgences. By two statutes, enacted since the revolution, every person indicted for high treason shall have a copy of his indictment, a list of the witnesses to be produced, and of the jury empannelled, delivered to him ten days before the trial; he is also permitted to make his defence by counsel:—privileges which are not allowed to the prisoner, in a trial for any other crime: and, what is of more importance to the party than all the rest, the testimony of two witnesses, at the least, is required to convict a person of treason; whereas, one positive witness is sufficient in almost every other species of accusation.

We proceed, in the second place, to inquire in what manner the constitution has provided for its own preservation; that is, in what manner each part of the legislature is secured in the exercise of the powers assigned to it, from the encroachments of the other parts. This security is sometimes called the *balance of the constitution*: and the political equilibrium, which this phrase denotes, consists in two contrivances;—a balance of power, and a balance of interest. By a balance of power is meant, that there is no power possessed by one part of the legislature, the abuse or excess of which is not checked by some antagonist power, residing in another part. Thus the power of the two houses of parliament to frame laws, is checked by the king's negative: that, if laws subversive of regal government should obtain the consent of parliament, the reigning prince, by interposing his prerogative, may save the necessary rights and authority of his station. On the other hand, the arbitrary application of this negative is checked by the privilege which parliament possesses, of the four courts of Westminster Hall, or during their recess, to any one of the judges of the same, unless all these several tribunals agree in determining his imprisonment to be legal. He may make application to them, in succession; and if one out of the number be found, who thinks the prisoner entitled to his liberty, that one possesses authority to restore it to him.



refusing supplies of money to the exigencies of the king's administration. The constitutional maxim, "that the king can do no wrong;" is balanced by another maxim, not less constitutional, "that the illegal commands of the king do not justify those who assist, or concur, in carrying them into execution;" and by a second rule, subsidiary to this, "that the acts of the crown acquire not a legal force, until authenticated by the subscription of some of its great officers." The wisdom of this contrivance is worthy of observation. As the king could not be punished, without a civil war, the constitution exempts his person from trial or account; but, lest this impunity should encourage a licentious exercise of dominion, various obstacles are opposed to the private will of the sovereign, when directed to illegal objects. The pleasure of the crown must be announced with certain solemnities, and attested by certain officers of state. In some cases, the royal order must be signified by a secretary of state; in others it must pass under the privy seal: and, in many, under the great seal. And when the king's command is regularly published, no mischief can be achieved by it, without the ministry and compliance of those to whom it is directed. Now all who either concur in an illegal order by authenticating its publication with their seal or subscription, or who in any manner assist in carrying it into execution, subject themselves to prosecution and punishment, for the part they have taken; and are not permitted to plead or produce the command of the king in justification of their obedience.\* But farther: the power of the crown to direct the military force of the kingdom, is balanced by the annual

\* Amongst the checks which parliament holds over the administration of public affairs, I forbear to mention the practice of addressing the king, to know by whose advice he resolved upon a particular measure, and of punishing the authors of that advice, for the counsel they had given. Not because I think this method either unconstitutional or improper; but for this reason:—that it does not so much subject the king to the control of parliament, as it supposes him to be already in subjection. For if the king were so far out of the reach of the resentment of the House of Commons, as to be able with safety to refuse the information requested, or to take upon himself the responsibility inquired after, there must be an end of all proceedings founded in this mode of application.

necessity of resorting to parliament for the maintenance and government of that force. The power of the king to declare war, is checked by the privilege of the House of Commons, to grant or withhold the supplies by which the war must be carried on. The king's choice of his ministers is controlled by the obligation he is under of appointing those men to offices in the state, who are found capable of managing the affairs of his government, with the two houses of parliament. Which consideration imposes such a necessity upon the crown, as hath in a great measure subdued the influence of favouritism; insomuch, that it is become no uncommon spectacle in this country, to see men promoted by the king to the highest offices and richest preferments which he has in his power to bestow, who have been distinguished by their opposition to his personal inclinations.

By the *balance of interest* which accompanies and gives efficacy to the *balance of power*, is meant this;—that the respective interests of the three estates of the empire are so disposed and adjusted, that whichever of the three shall attempt any encroachment, the other two will unite in resisting it. If the king should endeavour to extend his authority, by contracting the power and privileges of the Commons, the House of Lords would see their own dignity endangered by every advance which the crown made to independency upon the resolutions of parliament. The admission of arbitrary power is no less formidable to the grandeur of the aristocracy, than it is fatal to the liberty of the republic; that is, it would reduce the nobility from the hereditary share they possess in the national councils, in which their real greatness consists, to the being made a part of the empty pageantry of a despotic court. On the other hand, if the House of Commons should intrench upon the distinct province, or usurp the established prerogative of the crown, the House of Lords would receive an instant alarm from every new stretch of popular power. In every contest in which the king may be engaged with the representative body, in defence of his established share of authority, he will find a sure ally in the collective power of the nobility. An attachment to the monarchy, from which they derive their own distinction; the allurements of a court, in the habits and with the sentiments of which they have been brought up; their hatred of equality and of all levelling pretensions, which may ultimately affect the

privileges, or even the existence of their order; in short, every principle and every prejudice which are wont to actuate human conduct, will determine their choice to the side and support of the crown. Lastly, if the nobles themselves should attempt to revive the superiorities which their ancestors exercised under the feudal constitution, the king and the people would alike remember, how the one had been insulted, and the other enslaved, by that barbarous tyranny. They would forget the natural opposition of their views and inclinations, when they saw themselves threatened with the return of a domination which was odious and intolerable to both.

The reader will have observed, that in describing the British constitution, little notice has been taken of the House of Lords. The proper use and design of this part of the constitution, are the following:—First, to enable the king, by his right of bestowing the peerage, to reward the servants of the public, in a manner most grateful to them, and at a small expense to the nation: secondly, to fortify the power and secure the stability of regal government, by an order of men naturally allied to its interests: and, thirdly, to answer a purpose, which, though of superior importance to the other two, does not occur so readily to our observation; namely, to stem the progress of popular fury. Large bodies of men are subject to sudden frenzies. Opinions are sometimes circulated amongst a multitude without proof or examination, acquiring confidence and reputation merely by being repeated from one to another; and passions founded upon these opinions, diffusing themselves with a rapidity which can neither be accounted for nor resisted, may agitate a country with the most violent commotions. Now, the only way to stop the fermentation, is to divide the mass; that is, to erect different orders in the community, with separate prejudices and interests. And this may occasionally become the use of an hereditary nobility, invested with a share of legislation. Averse to those prejudices which actuate the minds of the vulgar; accustomed to condemn the clamour of the populace; disdaining to receive laws and opinions from their inferiors in rank; they will oppose resolutions which are founded in the folly and violence of the lower part of the community. Were the voice of the people always dictated by reflection; did every man, or even one man in a hundred, think for himself, or actually consider the mea-

sure he was about to approve or censure; or even were the common people tolerably steadfast in the judgment which they formed, I should hold the interference of a superior order not only superfluous, but wrong: for when every thing is allowed to difference of rank and education, which the actual state of these advantages deserves, that, after all, is most likely to be right and expedient, which appears to be so to the separate judgment and decision of a great majority of the nation; at least, that, in general, is right *for them*, which is agreeable to their fixed opinions and desires. But when we observe what is urged as the public opinion, to be, in truth, the opinion only, or perhaps the feigned profession, of a few crafty leaders; that the numbers who join in the cry, serve only to swell and multiply the sound, without any accession of judgment, or exercise of understanding; and that oftentimes the wisest counsels have been thus overborne by tumult and uproar;—we may conceive occasions to arise, in which the commonwealth may be saved by the reluctance of the nobility to adopt the caprices, or to yield to the vehemence, of the common people. In expecting this advantage from an order of nobles, we do not suppose the nobility to be more unprejudiced than others; we only suppose that their prejudices will be different from, and may occasionally counteract, those of others.—*Paley*.

The theory of the constitution in the most important particulars is a satire on the practice. The theory provides the responsibility of ministers as a check to the execution of ill designs; but in reality we behold the basest of the tribe retreat from the ruin of their country, loaded with honours and with spoils. Theory tells us the parliament is free and independent; experience will correct the mistake by showing its subservience to the crown. We learn, from the first, that the legislature is chosen by the unbiassed voice of all who can be supposed to have a will of their own; we learn, from the last, the pretended electors are but a handful of the people, who are never less at their own disposal than in the business of election. The theory holds out equal benefits to all, and equal liberty, without any other distinction than that of a good or bad subject: its practice brands with proscription and disgrace a numerous class of inhabitants, on account of their religion. In theory, the several orders of the state are a check on each



other; but corruption has oiled the wheels of that machinery, harmonized its motions, and enabled it to bear, with united pressure, on the happiness of the people.—*Robert Hall.*

As it is the interest, so it is, and has been, and always will be, the study and endeavour of the monarch to draw to himself the greatest quantity possible of those good things of this wicked world—money, power, and factitious dignity. And here we have one partial, one separate, one sinister interest, the *monarchical*; the interest of the ruling one, with which the universal and democratical interest has to contend, and to which that all-comprehensive interest has all along been made, and unless the only possible remedy, a radical parliamentary reform, should be applied, is destined for ever to be made a sacrifice. A sacrifice? Yes: and by the blessing of God upon the legitimate labours of his vicegerent, and the express image of his person here upon earth, a still unresisting sacrifice. Omnipresence, immortality, incapability of sin; equal as he is to God, as touching all these *attributes* (ask Blackstone else, i. 270, 250, 246, 249), who is there that, without adding impiety to disloyalty, can repine at seeing included in the sacrifice, any, or every thing, he might otherwise call his own?

Meantime, the money, which, in an endless and boundless stream is thus to keep flowing into the monarchical coffers—cannot find its way into those sacred receptacles without instruments and conduit-pipes. Out of the pockets of the people it cannot be drawn, but through the forms of Parliament—nor, therefore, without the concurrence of the richest men in the country, in the situation of Peers, great land-holding, and, as yet, incorporated Commoners, styled *country gentlemen*, and others. In those men is the chief property of the country, and with it (for in the language of the Aristocratical school, property and virtue are synonymous terms) the *virtue* of the country. And here we have another partial, separate, and sinister interest—the *Aristocratical* interest—with which the democratical interest has also to contend,—another overbearing and essentially and inscrutably hostile interest—against which, and under which, the universal interest has to struggle, and as far as possible to defend itself.

Such is the state in which the country lies:—the universal interest crouching under the conjunct yoke of two



partial and adverse interests, to which, to a greater or less extent, it ever has been made—and to the greatest extent possible cannot ever cease to be made—a continual sacrifice.—*Bentham*.

Without any outward and visible change being made in the forms of the constitution, but solely by the means of the ever-increasing mass of corruptive influence in the hands of the crown, the two separate, partial, and sinister interests,—viz. the monarchical and the aristocratical,—have obtained over the democratical interest (which is no other than the universal interest) an ascendancy so complete, that, under the outside show of a mixed and limited monarchy, a monarchy virtually and substantially absolute is the result.—*Idem*.

Many things in the English Government appear to me the reverse of what they ought to be, and the reverse of what they are said to be. The Parliament, imperfectly and capriciously elected as it is, is nevertheless supposed to hold the national purse in trust for the Nation: but in the manner in which an English Parliament is constructed, it is like a man being both mortgager and mortgagee; and in the case of misapplication of trust, it is the criminal sitting in judgment upon himself. If those who vote the supplies are the same persons who receive the supplies when voted, and are to account for the expenditure of those supplies to those who voted them, it is *themselves accountable to themselves*, and the Comedy of Errors concludes with the Pantomime of *Hush*. Neither the ministerial party, nor the opposition, will touch upon this case. The national purse is the common hack which each mounts upon. It is like what the country people call, “Ride and tie—you ride a little way, and then I.”—*Paine*.

The constitution of England is so exceedingly complex, that the nation may suffer for years together without being able to discover in which part the fault lies; some will say in one, and some in another, and every political physician will advise a different medicine. If we suffer ourselves to examine the component parts of the English Constitution, we shall find them to be the base remains of two ancient tyrannies, compounded with some new republican materials. *First*. The remains of Monarchical Tyranny in the person of the King. *Secondly*. The remains of Aristocratical Tyranny in the persons of

the Peers. *Thirdly.* The new Republican Materials in the persons of the Commons, on whose virtue depends the freedom of England. The first two being hereditary, are independent of the people; wherefore, in a constitutional sense, they contribute nothing towards the freedom of the state. To say that the Constitution of England is a union of three powers, reciprocally checking each other, is farcical; either the words have no meaning, or they are flat contradictions.—To say that the Commons are a check upon the King, presupposes two things:—*First.* That the King is not to be trusted without being looked after, or, in other words, that a thirst for absolute power is the natural disease of monarchy. *Secondly.* That the Commons, by being appointed for that purpose, are either wiser or more worthy of confidence than the Crown. But as the same Constitution which gives the Commons power to check the King, by withholding his supplies, gives afterwards the King a power to check the Commons by empowering him to reject their other bills, it again supposes that the King is wiser than those whom it has already supposed to be wiser than him. A mere absurdity!—*Idem.*

Some writers have explained the English constitution thus: the King, they say, is one, the People another: the Peers are a House in behalf of the King, the Commons in behalf of the People; but this hath all the distinctions of a house divided against itself; and though the expressions be pleasantly arranged, yet, when examined, they appear idle and ambiguous; and it always happens, that the nicest construction that words are capable of, when applied to the description of something which either cannot exist, or is too incomprehensible to be within the compass of description, will be words of sound only, and though they may amuse the ear, they cannot inform the mind; for this explanation includes a previous question, viz. “How came the King by a power which the people are afraid to trust, and always obliged to check?” Such a power could not be the gift of a wise people, neither can any power which needs checking be from God; yet the provision which the Constitution makes, supposes such a power to exist.

But the provision is unequal to the task; the means either cannot or will not accomplish the end, and the whole affair is a *felo de se*; for as the greater weight will always carry up the less, and as all the wheels of a machine are

put in motion by one, it only remains to know which power in the Constitution has the most weight, for that will govern; and though the others, or a part of them, may clog, or, as the phrase is, check the rapidity of its motion, yet so long as they cannot stop it, their endeavours will be ineffectual. The first moving power will at last have its way; and what it wants in speed, is supplied by time.—*Idem.*

The nearer any Government approaches to a republic, the less business there is for a king. It is somewhat difficult to find a proper name for the Government of England. Sir William Meredith calls it a republic; but in its present state it is unworthy of the name, because the corrupt influence of the Crown, by having all the places in its disposal, hath so effectually swallowed up the power, and eaten out the virtue, of the House of Commons (the republican part of the Constitution), that the Government of England is nearly as monarchical as that of France or Spain. Men fall out with names, without understanding them: for it is the republican, and not the monarchical part of the Constitution of England, which Englishmen glory in: viz. the liberty of choosing a House of Commons from out of their own body; and it is easy to see, that when republican virtue fails, slavery ensues. Why is the Constitution of England sickly, but because monarchy hath poisoned the republic, the Crown hath engrossed the Commons?—*Idem.*

I hold it to be essentially necessary to the preservation of the constitution, that the privileges of Parliament should be strictly ascertained, and confined within the narrowest bounds the nature of their institution will admit of. Upon the same principle on which I would have resisted prerogative in the last century, I now resist privilege. It is indifferent to me, whether the Crown, by its own immediate act, imposes new, and dispenses with old laws, or whether the same arbitrary power produces the same effects through the medium of the House of Commons.—*Junius.*

The Aristocracy,\* whether ennobled or untitled, whether in the upper or the lower House, are not to be intrusted with the guardianship of the public purse. The provision of the Constitution which so jealously excludes the interference of the Peers in all money bills, becomes altogether

\* Or, large land proprietors.

nullified when the representatives of the Peers are allowed to vote away the money of the people. And it is obvious that the same objection lies against the preponderance of the landed interest in the House of Commons. The Peerage either *is*, or represents that interest—the territorial Aristocracy. The House of Commons consists, according to the theory of the Constitution, of the representatives of an interest, not opposite, indeed, but distinct; that of the towns and boroughs, and ports and colonies, and corporations and professions,—the monied, industrious, mercantile, and manufacturing classes;—the staple material of England's moral and political greatness. Now, it was never intended that the business of legislation should be monopolized by this class; but the business of taxation is their's exclusively. The House of Lords is a high court of judicature: the House of Commons is only a house of business. Such, at least, is their respective character. But, amid the rage for legislation which has been growing upon the tripartite assembly in St. Stephen's Chapel, the people's business has been grossly neglected or mismanaged. In all that concerns the permanent interests of the country, the landed aristocracy and hereditary Peerage ought, obviously, to have more than an equal voice, because they have the largest stake. At all events, the British Constitution recognises them as having a power adequate to balance the Crown and the people. But in all that concerns the ways and means of raising the public revenue, the aristocracy are not to be trusted; the less influence they have, the more perfectly the spirit of the Constitution is preserved. Sir Francis Burdett is no more to be trusted on a question of taxation, than the Duke of Devonshire. The keeping of the public purse belongs to the Commons, to the people, to the tax-payers. To suppose that the landed Aristocracy of a country would tax themselves, is to ascribe to them a chivalrous eccentricity of generosity which has no parallel except in romance.—*Eclectic Review*.



## SECTION II.

## THE EXECUTIVE POWER.

FIRST, the law ascribes to the King the attribute of *sovereignty*, or pre-eminence. *Rex est vicarius*, says Bracton, *et minister Dei in terra: omnis quidem sub eo est, et ipse sub nullo, nisi tantum sub Deo.....* Hence it is, that no suit or action can be brought against the King, even in civil matters, because no court can have jurisdiction over him. For all jurisdiction implies superiority of power: authority to try would be vain and idle, without an authority to redress; and the sentence of a court would be contemptible, unless that court had the power to command the execution of it: but who, says Finch, shall command the King? Hence it is, likewise, that by law the person of the King is sacred, even though the measures pursued in his reign be completely arbitrary and tyrannical; for no jurisdiction upon earth has power to try him in a criminal way; much less to condemn him to punishment.—*Blackstone*.

Besides the attribute of sovereignty, the law also ascribes to the King, in his political capacity, absolute *perfection*. The King can do no wrong: which ancient and fundamental maxim is not to be understood as if everthing transacted by the government was of course just and lawful; but means only, *first*, that whatever is exceptionable in the conduct of public affairs, is not to be imputed to the King, nor is he answerable for it personally to his people, which would destroy the constitutional independence of the Crown: and, *secondly*, that the prerogative of the Crown extends not to do any injury: it is created for the benefit of the people, and therefore cannot be exerted for their prejudice.

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Neither can the King in judgment of law, as King, ever be a minor or under age; and, therefore, his royal grants and assents to acts of Parliament are good, though he has not in his natural capacity attained the legal age of twenty-one.

\* \* \* \* \*

A third attribute of the King's Majesty is his *perpetuity*.



The law ascribes to him, in his political capacity, an absolute immortality. The King never dies. Henry, Edward, or George may die; but the King survives them all. For immediately upon the decease of the reigning prince in his natural capacity, his Kingship or imperial dignity, by act of law, without any *interregnum* or interval, is vested at once in his heir; who is, *eo instanti*, King to all intents and purposes.

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We are next to consider those branches of the royal prerogative, which invest this our sovereign lord, thus all-perfect and immortal in his kingly capacity, with a number of authorities and powers, in the exertion whereof consists the executive part of government. This is wisely placed in a single hand by the British Constitution, for the sake of unanimity, strength, and dispatch.\* Were it placed in many hands, it would be subject to many wills: many wills, if disunited and drawing different ways, create weakness in a government; and to unite those several wills, and reduce them to one, is a work of more time and delay than the exigencies of the state will afford. The King of England is therefore not only the chief, but, properly, the sole magistrate of the nation; all others acting by commission from, and in due subordination to him: in like manner as, upon the great revolution in the Roman state, all the powers of the ancient magistracy of the commonwealth were concentrated in the new emperor.

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With regard to foreign concerns, the King is the delegate or representative of his people; and what is done by the royal authority, with regard to foreign powers, is the act of the whole nation. In this capacity, the King has the sole power of sending ambassadors to foreign states, and receiving ambassadors at home; of making treaties, leagues, and alliances with foreign states and princes; of making war and peace; and of granting safe-conducts or passports to foreigners within the realm.

In domestic affairs, the King is considered in a great variety of characters, and from thence there arises an abundant number of other prerogatives. First, he is a constituent part of the supreme legislative power; and as such, has

\* What follows is *abridged* from Blackstone.

the prerogative of rejecting such provisions in parliament as he judges improper to be passed. In the next place, he is considered as the generalissimo, or the first in military command within the kingdom; and as such, has the sole power of raising and regulating fleets and armies; and erecting, manning, and governing forts and other places of strength. He has also the power of prohibiting the exportation of arms and ammunition, and of confining his subjects to stay within the realm. The King is also the fountain of justice, and general conservator of the peace; and in this capacity has the sole power of erecting courts of judicature, appointing judges, issuing proclamations, and pardoning of offences. He is likewise the fountain of honour, of office, and of privilege, and therefore all degrees of nobility and honour are received by immediate grant from the crown. As the arbiter of commerce, the King establishes public marts, regulates weights and measures, and gives authority and currency to the coin.

The King is, lastly, considered by the laws of England as the head and supreme governor of the established church. In this capacity he convenes, prorogues, restrains, regulates, and dissolves all ecclesiastical synods or convocations; nominates to vacant bishoprics, and certain other ecclesiastical preferments; and is the *dernier resort* in all ecclesiastical causes.—*Blackstone*.

In order to assist the King in the discharge of his duties, the maintenance of his dignity, and the exertion of his prerogative, the law hath assigned him a diversity of councils to advise with. (1.) The first of these is the high court of parliament. (2.) The second are the Peers of the realm, who are, by their birth, hereditary counsellors of the crown. (3.) The third, the Judges of the courts of law, for law matters; and (4.) the fourth, the Privy Council.

The duties of the King are to govern his people according to law, to execute judgment in mercy, and to maintain the established religion. And as the King cannot misuse his power, without the advice of evil counsellors, and the assistance of wicked ministers, these men may be examined and punished. The constitution has provided, by means of indictments and parliamentary impeachments, that no man shall dare to assist the crown in contradiction to the laws of the land.—*Idem*.

Portions of power, money, and the unreal dignity of titles and ribbons, are the means of reward possessed by the monarch; and it is his possession of these means, that enables him to corrupt the members of the other two branches of the efficient sovereignty: viz. the two Houses of Parliament.—*Bentham*.

To obviate the danger of such great patronage in the hands of the executive, the officers nominated should be subject to the approbation of the legislature. This, perhaps, would prove some check, more especially if their pay, instead of passing through the hands of the executive, were to come immediately from persons selected by the legislature. The civil list, which in England furnishes the executive with easy means of corruption, would be considerably diminished, if the salary of the executive were kept distinct altogether. The civil list includes all salaries to officers of state, to the judges, and to the king's servants—foreign ambassadors—the maintenance of the royal family—the king's private expenses—secret service money—pensions and other bounties—"which," says orthodox Blackstone, "*sometimes* have so far exceeded the revenues appointed for that purpose, that application has been made to parliament to discharge the debts contracted on the civil list." To obviate this inconvenience, and lessen the powers of corruption, his majesty's salary should be distinct and limited, and the other expenses paid by persons deputed by the legislature, whose power should have entire control over the application, and its respective amounts.—*Putt*.

## PART II.

### OF POLITICAL RIGHTS, DUTIES, AND RESTRAINTS.

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#### CHAPTER I.

#### POLITICAL RIGHTS.

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##### SECTION I.

##### CIVIL LIBERTY.

NATURE is the great and only imparter of human right, which is nothing more than a free and advantageous exercise of certain faculties, or powers, which is requisite for the support of the body and the happiness and advancement of the mind. This right, however diversified or distorted in its subsequent or accidental ramifications, is inseparable from a rational being; because it is the exercise of certain powers which nature conferred for the very purpose of activity, and is a result of original constitution, independent of any artificial causes which may assist, modify, or impede its operations. In other words, it is the command or permission which nature has given to man to exercise the powers with which she has gifted him, in the acquisition of comfort and happiness. And all man's operations will be found leading to this result..... But some philosophers have endeavoured to confine it to this state [of nature] merely; and allege that man, by entering into society with his fellow-men, forfeits the right of nature, which is substituted by abridged civil privileges. But natural right, such as we have attempted to describe, does not require the supposition of any isolated mode of exist-

ence, nor does such a supposition, if admitted, at all include that destruction of natural right said to be consequent on man's entrance into civil society. Right, as before stated, arises from the character of the human mind and body, and the impulses by which they are urged to action. The actual wants of man are the same, whether in society or in solitude; and his identity of nature is not destroyed because he lives among multitudes of men instead of multitudes of trees..... In society, the same want exists, and the same motives impel him to action. His exigence and his right are identical in both cases, and exist antecedently to any civil compact into which he may enter.

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Civil right includes the protection which individuals demand, and should receive, from society, and the ratio of influence which, as individuals, they are entitled to exercise on the institutions of the community in which they exist. As every man contributes to the support of such community, and as he is affected immediately or more indirectly by the laws which are enacted for its regulation, he has an incontestible claim to create or modify the general legislation, according to his judgment, through the medium of the established representation. Governments should, therefore, be the "express image" of popular opinion—a reflected concentration of national mind.—*Carpenter.*

The absolute rights of man, considered as a free agent, endued with discernment to know good from evil, and with power of choosing those measures which appear to him to be most desirable, are usually summed up in one general appellation, and denominated the natural liberty of mankind. This natural liberty consists properly in a power of acting as one thinks fit, without any restraint or control, unless by the law of nature; being a right inherent in us by birth, and one of the gifts of God to man at his creation, when he endued him with the faculty of free-will. But every man, when he enters into society, gives up a part of his natural liberty, as the price of so valuable a purchase; and, in consideration of receiving the advantages of mutual commerce, obliges himself to conform to those laws which the community have thought proper to establish. And this species of legal obedience and conformity is infinitely more desirable than that wild and



savage liberty which is sacrificed to obtain it. For no man, that considers a moment, would wish to retain the absolute and uncontrolled power of doing whatever he pleases: the consequence of which is, that every other man would also have the same power; and then there would be no security to individuals in any of the enjoyments of life. Political, therefore, or civil liberty, which is that of a member of society, is no other than natural liberty so far restrained by human laws (and no farther) as is necessary and expedient for the general advantage of the public. Hence we may collect that the law, which restrains a man from doing mischief to his fellow-citizens, though it diminishes the natural, increases the civil liberty of mankind; but that every wanton and causeless restraint of the will of the subject, whether practised by a monarch, a nobility, or a popular assembly, is a degree of tyranny: nay, that even laws themselves, whether made with or without our consent, if they regulate and constrain our conduct in matters of mere indifference, without any good end in view, are regulations destructive of liberty.—*Blackstone.*

To do what we will, is natural liberty: to do what we will, consistently with the interest of the community to which we belong, is civil liberty; that is to say, the only liberty to be desired in a state of civil society. The boasted liberty of a state of nature exists only in a state of solitude. In every kind and degree of union and intercourse with his species, it is possible that the liberty of the individual may be augmented by the very laws which restrain it; because he may gain more from the limitation of other men's freedom than he suffers by the diminution of his own. Natural liberty is the right of common upon a waste; civil liberty is the safe, exclusive, unmolested enjoyment of a cultivated enclosure.

The definition of civil liberty above laid down, imports that the laws of a free people impose no restraints upon the private will of the subject, which do not conduce in *a greater degree* to the public happiness; by which it is intimated, 1st, that restraint itself is an evil; 2dly, that this evil ought to be overbalanced by some public advantage; 3dly, that the proof of this advantage lies upon the legislature; 4thly, that a law being found to produce no sensible good effects, is a sufficient reason for repealing it, as

adverse and injurious to the rights of a free citizen, without demanding specific evidence of its bad effects.

The degree of actual liberty always bearing, according to this account of it, a reversed proportion to the number and severity of the *restrictions* which are either useless, or the utility of which does not outweigh the evil of the restraint, it follows, that every nation possesses some, no nation perfect, liberty: that this liberty may be enjoyed under every form of government: that it may be impaired indeed, or increased, but that it is neither gained, nor lost, nor recovered, by any single regulation, change, or event whatever: that, consequently, those popular phrases which speak of a free people; of a nation of slaves; which call one revolution the era of liberty, or another the loss of it; with many expressions of a like absolute form; are intelligible only in a comparative sense.

Hence also we are enabled to apprehend the distinction between *personal* and *civil* liberty. A citizen of the freest republic in the world may be imprisoned for his crimes; and though his personal freedom be restrained by bolts and fetters, so long as his confinement is the effect of a beneficial public law, his civil liberty is not invaded. If this instance appear dubious, the following will be plainer. —A passenger from the Levant, who, upon his return to England, should be conveyed to a lazaretto by an order of quarantine, with whatever impatience he might desire his enlargement, and though he saw a guard placed at the door to oppose his escape, or even ready to destroy his life if he attempted it, would hardly accuse government of encroaching upon his civil freedom; nay, might, perhaps, be all the while congratulating himself that he had at length set his foot again in a land of liberty. The manifest expediency of the measure not only justifies it, but reconciles the most odious confinement with the perfect possession, and the loftiest notions, of civil liberty. And if this be true of the coercion of a prison, that it is compatible with a state of *civil* freedom, it cannot with reason be disputed of those more moderate constraints which the ordinary operation of government imposes upon the will of the individual. It is not the rigour, but the inexpediency, of laws and acts of authority, which makes them tyrannical.

There is another idea of civil liberty, which, though neither so simple nor so accurate as the former, agrees better with the signification, which the usage of common discourse, as well as the example of many respectable writers upon the subject, has affixed to the term. The idea places liberty in security; making it to consist not merely in an actual exemption from the constraint of useless and noxious laws and acts of dominion, but in being free from the *danger* of having such hereafter imposed or exercised. Thus, speaking of the political state of modern Europe, we are accustomed to say of Sweden, that she hath lost her *liberty* by the revolution which lately took place in that country; and yet we are assured that the people continue to be governed by the same laws as before, or by others which are wiser, milder, and more equitable. What then have they lost? They have lost the power and functions of their diet; the constitution of their states and orders, whose deliberations and concurrence were required in the formation and establishment of every public law; and thereby have parted with the security which they possessed against any attempts of the crown to harass its subjects, by oppressive and useless exertions of prerogative. The loss of this security we denominate the loss of liberty. They have changed, not their laws, but their legislature; not their enjoyment, but their safety; not their present burdens, but their prospects of future grievances; and this we pronounce a change from the condition of freemen to that of slaves.

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The definitions which have been framed of civil liberty, and which have become the subject of much unnecessary altercation, are most of them adapted to this idea. Thus one political writer makes the very essence of the subject's liberty to consist in his being governed by no laws but those to which he hath actually consented; another is satisfied with an indirect and virtual consent; another, again, places civil liberty in the separation of the legislative and executive offices of government; another, in the being governed by *law*, that is, by known, preconstituted, inflexible rules of action and adjudication; a fifth, in the exclusive right of the people to tax themselves by their own representatives; a sixth, in the freedom and purity of elections of representatives; a seventh, in the control

which the democratic part of the constitution possesses over the military establishment. Concerning which, and some other similar accounts of civil liberty, it may be observed, that they all labour under one inaccuracy, *viz.* that they describe not so much liberty itself, as the safeguards and preservatives of liberty: for example, a man's being governed by no laws but those to which he has given his consent, were it practicable, is no otherwise necessary to the enjoyment of civil liberty, than as it affords a probable security against the dictation of laws imposing superfluous restrictions upon his private will. This remark is applicable to the rest. The diversity of these definitions will not surprise us, when we consider that there is no contrariety or opposition amongst them whatever: for, by how many different provisions and precautions civil liberty is fenced and protected, so many different accounts of liberty itself, all sufficiently consistent with truth and with each other, may, according to this mode of explaining the term, be framed and adopted.

Truth cannot be offended by a definition, but propriety may. In which view, those definitions of liberty ought to be rejected, which, by making that essential to civil freedom which is unattainable in experience, inflame expectations that can never be gratified, and disturb the public content with complaints, which no wisdom or benevolence of government can remove.

It will not be thought extraordinary, that an idea, which occurs so much oftener as the subject of panegyric and careless declamation, than of just reasoning or correct knowledge, should be attended with uncertainty and confusion; or that it should be found impossible to contrive a definition, which may include the numerous, unsettled, and ever-varying significations, which the term is made to stand for, and at the same time accord with the condition and experience of social life.

Of the two ideas that have been stated of civil liberty, whichever we assume, and whatever reasoning we found upon them, concerning its extent, nature, value, and preservation, this is the conclusion;—that *that* people, government, and constitution, is the *freest*, which makes the best provision for the enacting of expedient and salutary laws.

—*Paley.*

The rights of men, that is to say, the natural rights of



mankind, are, indeed, sacred things; and if any public measure is proved mischievously to affect them, the objection ought to be fatal to that measure, even if no charter at all could be set up against it. If these natural rights are farther affirmed and declared by express covenants, if they are clearly defined and secured against chicane, against power and authority, by written instruments and positive engagements, they are in a still better condition. They partake not only of the sanctity of the object so secured, but of that solemn public faith itself, which secures an object of such importance. Indeed, this formal recognition, by the sovereign power, of an original right in the subject, can never be subverted but by rooting up the radical principles of government, and even of society itself. The charters which we call by distinction *great*, are public instruments of this nature; I mean the charters of King John, and King Henry the Third. The things secured by these instruments may, without any deceitful ambiguity, be very fitly called *the chartered rights of men*.—*Burke*.

To renounce one's liberty, is to renounce one's very being as a man: it is to renounce not only the rights but the duties of humanity. And what possible indemnity can be made to a man who thus gives up his all? Such a renunciation is incompatible with our very nature, for to deprive us of the liberty of the will, is to take away all morality from our actions.—*Rousseau*.

Man did not enter into society to become worse than he was before, nor to have fewer rights than he had before; but to have those rights better secured. His natural rights are the foundation of all his civil rights.... Natural rights are those which appertain to man in right of his existence. Of this kind are all the intellectual rights, or rights of the mind; and also, all those rights of acting as an individual for his own comfort and happiness, which are not injurious to the natural rights of others. Civil rights, are those which appertain to man in right of his being a member of society. Every civil right has for its foundation some natural right pre-existing in the individual, but to the enjoyment of which his individual power is not, in all cases, sufficiently competent. Of this kind are all those which relate to security and protection. The natural rights which he retains, are all those in which the power to execute is as perfect in the individual, as the



right itself. Among this class, as is before mentioned, are all the intellectual rights, or rights of the mind : consequently, religion is one of those rights. The natural rights which are not retained, are all those in which, though the right is perfect in the individual, the power to execute them is defective. They answer not his purpose. A man, by natural right, has a right to judge in his own cause ; and so far as the right of the mind is concerned, he never surrenders it. But what availeth it him to judge, if he has not the power to redress ? He therefore deposits this right in the common stock of society, and takes the arm of society, of which he is a part, in preference to his own. Society *grants* him nothing. Every man is a proprietor in society, and draws on the capital as a matter of right.—*Paine*.

Every man has naturally a right to every thing which is necessary to his subsistence. To allow to the first occupier of land as much as he can cultivate, and is necessary to his subsistence, is certainly carrying the matter as far as is reasonable : otherwise we know not how to set bounds to this right. The social system, instead of annihilating the natural equality of mankind, substitutes, on the contrary, a moral and legal equality. This equality indeed is, under bad governments, merely apparent and delusive, serving only to keep the poor in misery, and favour the oppression of the rich. In fact, the laws are always useful to persons of fortune, and hurtful to those who are destitute. Whence it follows, that a state of society is advantageous to mankind in general, only where they all possess something, and none of them have any thing too much.—*Rousseau*.

The people have rights, but kings and princes have none. The people stand in need of neither charters nor precedents to prove theirs, nor of professional men to interpret either. They are born with every man in every country, and exist in all countries alike, the despotic as well as the free, though they may not be equally easy to be recovered in all.—*Lord Lansdowne*.

Political liberty does not consist in an unlimited freedom. In governments, that is, in societies directed by laws, liberty can consist only in the power of doing what we ought to will, and in not being constrained to do, what we ought not to will. We must have continually present

to our minds the difference between independence and liberty. Liberty is a right of doing whatever the laws permit; and if a citizen could do what they forbid, he would be no longer possessed of liberty, because all his fellow-citizens would have the same power.—*Montesquieu*.

[See also the chapter on the Origin and Objects of Society.]

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## SECTION II.

### RELIGIOUS LIBERTY.

As to religion, I hold it to be the indispensable duty of all governments to protect all conscientious professors thereof, and I know of no other business which government hath to do therewith. Let a man throw aside that narrowness of soul, that selfishness of principle, which the niggards of all professions are so unwilling to part with, and he will be at once delivered of his fears on that head. Suspicion is the companion of mean souls, and the bane of all good society. For myself, I fully and conscientiously believe, that it is the will of the Almighty, that there should be a diversity of religious opinions among us; it affords a larger field for our Christian kindness. Were we all of one way of thinking, our religious dispositions would want matter for probation; and on this liberal principle, I look on the various denominations among us, to be like children of the same family, differing only in what is called their Christian names.—*Paine*.

Civil governors go miserably out of their proper province whenever they take upon them the care of truth, or the support of any doctrinal points. They are not judges of truth; and if they pretend to decide about it, they will decide wrong. It is superstition, idolatry, and nonsense, that civil power at present supports almost everywhere, under the idea of supporting sacred truth, and opposing dangerous error. All the experience of past time proves that the consequence of allowing civil power to judge of the nature and tendency of doctrines, must be making it a hinderance to the progress of truth, and an enemy to the improvement of the world. Anaxagoras was tried and condemned in Greece for teaching that the sun and stars

were not deities, but masses of corruptible matter. Accusations of the like kind contributed to the death of Socrates. The threats of bigots, and the fear of persecution, prevented Copernicus from publishing, during his life-time, his discovery of the true system of the world. Galileo was obliged to renounce the doctrine of the motion of the earth, and suffered a year's imprisonment for having asserted it. And so lately as the year 1742, the best commentary on the first production of human genius, (Newton's *Principia*,) was not allowed to be printed at Rome, because it asserted this doctrine; and the learned commentators were obliged to prefix to their work a declaration, that on this point they submitted to the decisions of the supreme pontiffs. Such *have* been, and such (while men continue blind and ignorant will always be,) the consequence of the interposition of civil governments in matters of speculation.—*Price*.

Nothing can be more unreasonable than an attempt to retain men in one common opinion by the dictate of authority. The opinion thus obtruded upon the minds of the public is not their *réal* opinion; it is only a project by which they are rendered incapable of forming an opinion. Whenever government assumes to deliver us from the trouble of thinking for ourselves, the only consequences it produces are those of torpor and imbecility. Wherever truth stands in the mind unaccompanied by the evidence upon which it depends, it cannot properly be said to be apprehended at all. The mind is in this case robbed of its essential character, and genuine employment, and along with them must be expected to lose all that which is capable of rendering its operations salutary and admirable. Either mankind will resist the assumptions of authority, undertaking to superintend their opinions, and then these assumptions will produce no more than an ineffectual struggle; or they will submit, and then the effects will be injurious. He that in any degree consigns to another the task of dictating his opinions and his conduct, will cease to inquire for himself, or his inquiries will be languid or inanimate.—*Godwin*.

It is a mistake to suppose that speculative differences of opinion, threaten to disturb materially the peace of society. It is only when they are enabled to arm themselves with the authority of government, to form parties in the state,

and to struggle for that political ascendancy which is too frequently exerted in support of, or in opposition to, some particular creed, that they become dangerous. Whenever government is wise enough to maintain an inflexible neutrality, these jarring sects are always found to live together with sufficient harmony. The very means that have been employed for the preservation of order, have been the only means that have led to its disturbance. The moment government resolves to admit of no regulations oppressive to either party, controversy finds its level, and appeals to arguments and reason, instead of appealing to the sword or the stake. The moment government descends to wear the badge of a sect, religious war is commenced, the world is disgraced with inexplicable broils, and deluged with blood.—*Idem*.

— To subdue th' unconquerable mind,  
To make one reason have the same effect  
Upon all apprehensions ; to force this  
Or that man, just to think, as thou and I do ;  
Impossible ! unless souls were alike  
In all, which differ now like human faces.—*Rowe*.

Any species of force used in the propagation of certain creeds or doctrines, with a view of changing or destroying any peculiar belief, is an invasion of natural right, or that freedom of intellectual action which man, in a detached state of nature, would preserve. It is not, however, hence to be inferred, that, by the doctrine of natural right, private opinions are prohibited from being extended for the examination and benefit of others. It is violence, the domineering and despotical imposition of certain creeds, without regard to individual judgment and willingness, that we here deprecate; for though man, by natural right, is mentally independent, and ought to exercise his powers in freedom, it is still evident that he was adapted for social and intellectual intercourse, and that his happiness was made in a high degree consequent upon the reciprocation of knowledge and sympathy.—*Carpenter*.

Man has a right to think all things, speak all things, write all things, but not to impose his opinions.—*Ma-chiavel*.



## SECTION III.

## THE RIGHT OF FREE DISCUSSION.

THE most capital advantage an enlightened people can enjoy, is the liberty of discussing every subject which can fall within the compass of the human mind: while this remains, freedom will flourish; but should it be lost or impaired, its principles will neither be well understood nor long retained. To render the magistrate a judge of truth, and engage his authority in the suppression of opinions, shows an inattention to the nature and design of political society. When a nation form a government, it is not wisdom but *power* which they place in the hand of the magistrate; from whence it follows, his concern is only with those objects which *power* can operate upon. On this account, the administration of justice, the protection of property, and the defence of every member of the community from violence and outrage, fall naturally within the province of the civil ruler, for these may all be accomplished by *power*: but an attempt to distinguish truth from error, and to countenance one set of opinions to the prejudice of another, is to apply power in a manner mischievous and absurd.—*Robert Hall*.

Though all the winds of doctrine were let loose to play upon the earth, so truth be in the field, we do injuriously, by licensing and prohibiting, to doubt her strength. Let her and falsehood grapple; who ever knew truth put to the worse in a free and open encounter? Who knows not that truth is strong, next to the Almighty? She needs no policies, nor stratagems, nor licensings, to make her victorious: those are the shifts and defences that error uses against her power. Give her but room, and do not bind her when she sleeps, for then she speaks not true, but then rather she turns herself into all shapes, except her own, and, perhaps, tunes her voice according to the time, until she be adjured into her own likeness. To count a man not fit to print his mind, is the greatest indignity to a free and knowing spirit that can be put upon him. What advantage is it to be a man [rather than] a body at school, if we have only escaped the ferula, to come under the fescu of an imprimatur?—*Milton*.



Methinks I see in my mind a noble and puissant nation rousing herself like a strong man after sleep, and shaking her invincible locks; methinks I see her as an eagle renewing her mighty youth, and kindling her endazzled eyes at the full mid-day beam, purging and unscaling her long abused sight at the fountain itself of heavenly radiance; while the whole noise of timorous flocking birds, with those also that love the twilight, flutter about, amazed at what she means, and in their envious gabble would prognosticate a year of sects and schisms. What should you do then, should you suppress all this flowery crop of knowledge and new light sprung up, and yet springing daily in this city? Should ye set an oligarchy to bring a famine on our minds again, when we shall know nothing, but what is measured to us by their bushel?—*Idem.*

However some may affect to dread controversy, it can never be of ultimate disadvantage to the interests of truth, or the happiness of mankind. Where it is indulged in its full extent, a multitude of ridiculous opinions will, no doubt, be obtruded upon the public; but any ill influence they may produce cannot continue long, as they are sure to be opposed with at least equal ability, and that superior advantage which is ever attendant on truth. The colours with which wit or eloquence has adorned a false system will gradually die away, sophistry be detected, and every thing estimated at length according to its real value.—*Robert Hall.*

Let it be impressed upon your minds, let it be instilled into your children, that the liberty of the press is the palladium of all the civil, political, and religious rights of an Englishman.—*Junius.*

Government is the creature of the people, and that which they have created they surely have a right to examine. The great Author of nature having placed the right of dominion in no particular hands, hath left every point relating to it to be settled by the consent and approbation of mankind. In spite of the attempts of sophistry to conceal the origin of political rights, it must inevitably rest at length on the acquiescence of the people. In the case of individuals it is extremely plain. If one man should overwhelm another with superior force, and after completely subduing him under the name of government, transmit him in this condition to his heirs, every one would exclaim

against such an act of injustice. But whether the object of his oppression be one or a million can make no difference in its nature, the idea of equity having no relation to that of numbers.—*Robert Hall*.

The sovereign power being derived from the will of the people, explicit or implied, and existing solely for their use, it can no more become independent of that will than water can rise above its source. But, if we allow the people are the true origin of political power, it is absurd to require them to resign the right of discussing any question that can arise either upon its form or its measures, as this would put it for ever out of their power to revoke the trust which they have placed in the hands of their rulers.—*Idem*.

If the excellency of a constitution is assigned as the reason that none should be permitted to censure it, who, I ask, is to determine on this its excellence? If you reply, every man's own reason will determine, you concede the very point I am endeavouring to establish,—the liberty of free inquiry: if you reply, our rulers, you admit a principle that equally applies to every government in the world, and will lend no more support to the British constitution than to that of Turkey or Algiers.—*Idem*.

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## CHAPTER II.

### POLITICAL RESTRAINTS.

THE happiness of individuals, of whom a community is composed, that is, their pleasures and their security, is the sole end, the only purpose, of government and legislation; at the same time, it is the sole standard, in conformity to which each individual ought, as far as depends upon the legislator, to be *made* to fashion his behaviour. But how is an individual, or any number of individuals, to be *made* to conform to that which is decided to be favourable to the production of a balance of happiness? Whatever is to be done, there is nothing by which a man can be *made* to do it, but by the application of pain or pleasure. All that the law can do is by punishment. By the annexation of cer-

tain pains to certain forbidden conduct, which shall, by their uniform application, become associated with such conduct, in the minds of all, and thus form an operative and ever present restraint. The object of all laws being to augment the total happiness of the community, and all punishment being mischief, why is it admitted? Only upon the greatest happiness principle, because it promises to exclude some greater evil. The penal branch of law constitutes the chief branch, because civil law may be considered merely as a system of arbitration of property, in cases of disputed or doubtful ownership. The application of the penalties, in relation to the prevention of offences, is, it is evident, of the highest moment. It is the training of the adult, as education is of childhood. The never-ending series of evils, arising from a misplaced application of such pains, or the want of their wholesome restraint, ought to prove sufficient for inspiring the mind of every teacher and legislator with the most anxious solicitude for the discharge of his high trust.—*Anon.*

Political liberty, considered with relation to a citizen, consists in that security in which he lives under shelter of the laws; or at least in an opinion of this security, which makes no one citizen entertain any fear of another. It is principally by the nature and proportion of punishments, that this liberty is established or destroyed. Crimes against religion ought to be punished by a privation of those advantages which religion procures; crimes against morality, by shame; crimes against the public tranquillity, by imprisonment or banishment; crimes against its security, by more grievous punishments. Writings ought to be less punished than actions; simple thoughts ought never to be so. Accusations which are not according to the forms of law, spies, anonymous letters, all those resources of tyranny which are equally disgraceful to such as are the instruments of them and those who make use of them, ought to be proscribed in every good government. Nobody ought to be permitted to accuse but in the face of the law, which always punishes either the accused person or the calumniator. In every other case, those who govern ought to say, with the Emperor Constantius—"We cannot suspect a man against whom no accuser appeared, when, at the same time, he did not want an enemy." It is a very fine institution by which a public officer charges

himself, in the name of the state, with the prosecution of crimes; as this answers all the good purposes of informers, without being exposed to those sordid interests, those inconveniences, and that infamy, which attend them.—*D'Alembert.*

The business of society is to provide arguments for abstaining from wrong. Before restraining law existed, strength gave the only title. Men grew weary of this; and, uniting by an implied agreement, bestowed powers upon selected individuals, that might be applied upon occasion for the redress of all attacks upon the happiness of every one so united. A parish confederacy, on a large scale, is formed of a constable and watchman, to go the parish rounds; so that they who subscribe to the association may be freed from the dread of burglars, vagabonds, and thieves of all kinds, whose aim is to live upon the labour of others..... The chief constable is called, sometimes, King; sometimes President. The duties of the officers spoken of are, to watch, and, by the terror of their staves and laced hats, to prevent as much of the mischief as possible; but, if necessary, to enforce and administer the pains which the vestry determine ought to be associated with any given conduct—hanging, fining, and flogging. In all cases, the vestry are to be the judges of what constitutes an offence. The watchmen and constable have often turned thieves—have hanged the rate-payers with their own weapons, while the parish have not always been able to bring them to justice. The question most unfavourable to these domestic traitors is, what is favourable to the production of the greatest happiness? Are you, under the present system, as good officers—as cheap, as active, as civil, as others whom we might employ, seeing that we have always the right and the power of change? The Americans and Englishmen, more than once, have solved part of the inquiry; but when will Spain, Portugal, Italy—the world, change their police, and hang all the constables who deserve it?—*Anon.*



## CHAPTER III.

## THE FORCE AND AUTHORITY OF LAW.

WE must acknowledge relations of justice antecedent to the positive law by which they are established: as for instance, that if human societies existed, it would be right to conform to their laws; if they were intelligent beings that had received a benefit of another being, they ought to show their gratitude; if one intelligent being had created another intelligent being, the latter ought to continue in its original state of dependence; if one intelligent being injures another, it deserves retaliation; and so on.

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Man, as a physical being, is like other bodies, governed by invariable laws. As an intelligent being, he incessantly transgresses the laws established by God, and changes those of his own instituting. He is left to his private direction, though a limited being, and subject, like all finite intelligences, to ignorance and error: even his imperfect knowledge he loses; and, as a sensible creature, he is hurried away by a thousand impetuous passions. Such a being might every instant forget his Creator; God has therefore reminded him of his duty by the laws of religion. Such a being is every moment liable to forget himself; philosophy has provided against this by the laws of morality. Formed to live in society, he might forget his fellow-creatures; legislators, have, therefore, by political and civil laws, confined him to his duty.—*Montesquieu*.

The existing authorities in a state are to be respected and obeyed, as interpreters of the public will. Till they are set aside by the unequivocal voice of the people, they are a law to every member of the community. To resist them is rebellion; and for any particular set of men to attempt their subversion by force, is a heinous crime, as they represent and embody the collective majesty of the state. They are the exponents, to use the language of algebra, of the precise quantity of liberty the people have thought proper to legalise and secure. But though they are a law to every member of the society, separately considered, they cannot bind the society itself, or prevent it,



when it shall think proper, from forming an entire new arrangement; a right that no compact can alienate or diminish, and which has been exerted as often as a free government has been formed.—*Robert Hall.*

If a law be bad, it is one thing to oppose the practice of it, but it is quite a different thing to expose its errors, to reason on its defects, and to show cause why it should be repealed, or why another ought to be substituted in its place. I have always held it an opinion (making it also my practice) that it is better to obey a bad law, making use at the same time of every argument to show its errors and procure its repeal, than forcibly to violate it; because the precedent of breaking a bad law might weaken the force, and lead to a discretionary violation, of those which are good.—*Paine.*

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## CHAPTER IV.

### THE OBJECT OF PUNISHMENT.

THE proper end of human punishment is not the satisfaction of justice, but the prevention of crimes. By the satisfaction of justice, I mean the retribution of so much pain for so much guilt; which is the dispensation we expect at the hand of God, and which we are accustomed to consider as the order of things that perfect justice dictates and requires. In what sense, or whether with truth in any sense, justice may be said to demand the punishment of offenders, I do not now inquire; but I assert, that this *demand* is not the motive or occasion of human punishment. What would it be to the magistrate, that offences went altogether unpunished, if the impunity of the offenders were followed by no danger or prejudice to the commonwealth? The fear lest the escape of the criminal should encourage him, or others, by his example, to repeat the same crime, or to commit different crimes, is the sole consideration which authorizes the infliction of punishment by human laws. Now that, whatever it be, which is the cause and end of the punishment, ought undoubtedly to regulate the measure of its severity. But this cause appears to be founded, not in the guilt of the offender, but

in the necessity of preventing the repetition of the offence: and hence results the reason, that crimes are not by any government punished in proportion to their guilt, nor in all cases ought to be so, but in proportion to the difficulty and the necessity of preventing them. Thus the stealing of goods privately out of a shop may not, in its moral quality, be more criminal than the stealing of them out of a house; yet being equally necessary, and more difficult to be prevented, the law, in certain circumstances, denounces against it a severer punishment. The crime must be prevented by some means or other; and, consequently, whatever means appear necessary to this end, whether they be proportionable to the guilt of the criminal or not, are adopted rightly, because they are adopted upon the principle which alone justifies the infliction of punishment at all. From the same consideration it also follows, that punishment ought not to be employed, much less rendered severe, when the crime can be prevented by any other means. Punishment is an evil to which the magistrate resorts only from its being necessary to the prevention of a greater. This necessity does not exist, when the end may be attained, that is, when the public may be defended from the effects of the crime, by any other expedient. The sanguinary laws which have been made against counterfeiting or diminishing the gold coin of the kingdom might be just until the method of detecting the fraud, by weighing the money, was introduced into general usage. Since that precaution was practised, these laws have slept; and an execution under them at this day would be deemed a measure of unjustifiable severity. The same principle accounts for a circumstance which has been often censured as an absurdity in the penal laws of this, and of most modern nations, namely, that breaches of trust are either not punished at all, or punished with less rigour than other frauds.—Wherefore is it, some have asked, that a violation of confidence, which increases the guilt, should mitigate the penalty?—This lenity, or rather forbearance, of the laws, is founded in the most reasonable distinction. A due circumspection in the choice of the persons whom they trust; caution in limiting the extent of that trust; or the requiring of sufficient security for the faithful discharge of it; will commonly guard men from injuries of this description; and the law will not interpose its sanctions to

protect negligence and credulity, or to supply the place of domestic care and prudence.\* To be convinced that the law proceeds entirely upon this consideration, we have only to observe, that where the confidence is unavoidable, —where no practicable vigilance could watch the offender, as in the case of theft committed by a servant in the shop or dwelling-house of his master, or upon property to which he must necessarily have access,—the sentence of the law is not less severe, and its execution commonly more certain and rigorous, than if no trust at all had intervened.—*Paley*.

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## CHAPTER V.

### THE ADMINISTRATION OF JUSTICE.

THE first maxim of a free state is, that the laws be made by one set of men, and administered by another; in other words, that the legislative and judicial characters be kept separate. When these offices are united in the same person or assembly, particular laws are made for particular cases, springing oftentimes from partial motives, and directed to private ends: whilst they are kept separate, general laws are made by one body of men, without foreseeing whom they may affect; and, when made, must be applied by the other, let them affect whom they will.

For the sake of illustration, let it be supposed, in this country, either that parliaments being laid aside, the courts of Westminster Hall made their own laws; or that the two houses of parliament, with the King at their head, tried and decided causes at their bar; it is evident, in the first place, that the decisions of such a judicature would be so many laws; and, in the second place, that, when the parties and the interests to be affected by the law were known, the inclinations of the law-makers would inevitably attach on one side or the other; and that where there were neither any fixed rules to regulate their determinations, nor any superior power to control their proceedings, these inclinations would interfere with the integrity of

\* This is contradicted by the barbarous practice of imprisonment for debt.

public justice. The consequence of which must be, that the subjects of such a constitution would live either without any constant laws, that is, without any known pre-established rules of adjudication whatever; or under laws made for particular persons, and partaking of the contradictions and iniquity of the motives to which they owed their origin.

Which dangers, by the division of the legislative and judicial functions, are in this country effectually provided against. Parliament knows not the individuals upon whom its acts will operate; it has no cases or parties before it; no private designs to serve; consequently, its resolutions will be suggested by the consideration of universal effects and tendencies, which always produces impartial, and commonly advantageous regulations. When laws are made, courts of justice, whatever be the disposition of the judges, must abide by them; for the legislative being necessarily the supreme power of the state, the judicial and every other power is accountable to that: and it cannot be doubted that the persons who possess the sovereign authority of government, will be tenacious of the laws which they themselves prescribe, and sufficiently jealous of the assumption of dispensing and legislative power by any others.

This fundamental rule of civil jurisprudence is violated in the case of acts of attainder or confiscation, in bills of pains and penalties, and in all *ex post facto* laws whatever, in which parliament exercises the double office of legislature and judge. And whoever either understands the value of the rule itself, or collects the history of those instances in which it has been invaded, will be induced, I believe, to acknowledge, that it had been wiser and safer never to have departed from it. He will confess, at least, that nothing but the most manifest and immediate peril of the commonwealth will justify a repetition of these dangerous examples. If the laws in being do not punish an offender, let him go unpunished; let the legislature, admonished of the defect of the laws, provide against the commission of future crimes of the same sort. The escape of one delinquent can never produce so much harm to the community as may arise from the infraction of a rule upon which the purity of public justice, and the existence of civil liberty, essentially depend.—*Paley*.



The pure and impartial administration of justice is, perhaps, the firmest bond to secure a cheerful submission of the people, and to engage their affections to government. It is not sufficient that questions of private right or wrong are justly decided, nor that judges are superior to the vileness of personal corruption. Jeffries himself, when the court had no interest, was an upright judge. A court of justice may be subject to another sort of bias, more important and pernicious, as it reaches beyond the interest of individuals, and affects the whole community. A judge under the influence of government, may be honest enough in the decision of private causes, yet a traitor to the public. When a victim is marked out by the ministry, this judge will offer himself to perform the sacrifice. He will not scruple to prostitute his dignity, and betray the sanctity of his office, whenever an arbitrary point is to be carried for government, or the resentment of a court to be gratified.—

*Junius.*

The next security for the impartial administration of justice, especially in decisions in which government is a party, is the independency of the judges. As protection against every illegal attack upon the rights of the subject by the servants of the crown is to be sought for from these tribunals, the judges of the land become not unfrequently the arbitrators between the king and the people, on which account they ought to be independent of either; or, what is the same thing, equally dependent upon both; that is, if they be appointed by the one, they should be removable only by the other. This was the policy which dictated that memorable improvement in our constitution, by which the judges, who before the Revolution held their offices during the pleasure of the king, can now be deprived of them only by an address from both houses of parliament; as the most regular, solemn, and authentic way, by which the dissatisfaction of the people can be expressed. To make this independency of the judges complete, the public salaries of their office ought not only to be certain both in amount and continuance, but so liberal as to secure their integrity from the temptation of secret bribes; which liberality will answer also the farther purpose of preserving their jurisdiction from contempt, and their characters from suspicion; as well as of rendering the office worthy of the ambition of men of eminence in their profession.—*Paley.*



*Salus populi suprema lex*; and laws, except they be in order to that end, are things captious, and oracles not well inspired. There be (saith the Scripture) that turn judgment into wormwood; and surely there be also that turn it into vinegar: for injustice maketh it bitter, and delays make it sour. Judges must beware of hard constructions and strained inferences, for there is no worse torture than the torture of laws. One foul sentence doth more hurt than many foul examples.—*Lord Bacon.*

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## CHAPTER VI.

### THE LIMITS OF POLITICAL OBEDIENCE.

WHENEVER the legislators endeavour to reduce the people to slavery under arbitrary power, they put themselves into a state of war with the people, who are thereupon absolved from any farther obedience, and are left to the common refuge which God hath provided for all men against force or violence. Whenever, therefore, the legislature shall—either by ambition, fear, folly, or corruption, endeavour to grasp themselves, or put into the hands of any other, an absolute power over the lives, liberties, and estates of the people; by this breach of trust they forfeit the power the people had put into their hands for quite contrary ends, and it devolves to the people, who have a right to resume their original liberty, and by the establishment of a new legislature (such as they shall think fit), to provide for their own safety and security, which is the end for which they are in society. What I have said here concerning the legislative in general, holds true also concerning the supreme executor who acts contrary to his trust, when he either employs the force, treasure, and offices of the society, to corrupt the representatives, and gain them to his purposes; or openly pre-engages the electors, and prescribes to their choice such whom he has by solicitations, threats, promises, or otherwise, won to his designs; and employs them to bring in such who have promised beforehand what to vote, and what to enact.—*Locke.*

When men fall under despotism, they are bound to make efforts to shake it off; and those efforts are, at that period, the only property the unfortunate people have left. The height of misery is, not to be able to free ourselves from it, and to suffer without daring to complain. Where is the man barbarous and stupid enough to give the name of peace to the silence and forced tranquillity of slavery? It is indeed peace, but it is the peace of the tomb.—*Helvetius*.

Since the king or magistrate holds his authority of the people, for their good, and not his own, then may the people, as oft as they shall judge it for the best, either choose him or reject him, retain him or depose him, though no tyrant, merely by the liberty and right of free-born men to be governed as seems to them best.—*Milton*.

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## CHAPTER VII.

### SOCIAL OBLIGATIONS.

WE are obliged to act, so far as our power reacheth, towards the good of the whole community. And he who doth not perform the part assigned him towards advancing the benefit of the whole, in proportion to his opportunities and abilities, is not only an useless, but a very mischievous member of the public; because he takes his share of the profit, and yet leaves his share of the burden to be borne by others, which is the true principal cause of most of the miseries and misfortunes of life.—*Swift*.

Were any individual acting alone, unassociated with others, the only rational standard, it would appear, by which his actions could be estimated, would be their tendency to produce to him preponderant good, calculating all their consequences, good and evil, immediate or remote, and drawing a fair balance. Those actions are the best which tend to produce to the agent the greatest quantity of happiness; happiness of which pleasures, physical and intellectual, are the component parts. No intelligent and benevolent being (and all beings really intelligent must be benevolent) would wish that any isolated rational

creature should act otherwise. The will is necessarily influenced by the strongest motives presented to it; and those motives are the necessary result of antecedent circumstances. Suppose this individual associated with others. What should be the rule of his conduct? His first principle—to acquire the greatest quantity of happiness for himself—remains unchanged; but his mode of action, in order to attain that end, must vary, because the circumstances surrounding him have changed. The *consequences* of his actions are now far different from what they were: *they affect the happiness of others*, as well as his own: reactions on the part of those others are produced: complications of action and reaction ensue. Repeated experience proves to the individual associated with others, that in order, under his altered circumstances, to produce for himself the greatest happiness, he must enlarge his calculation of consequences: he must calculate the good and evil, immediate and remote, physical, social, and intellectual, proceeding from his actions, on all those with whom he is associated, or who are within the range of their influence, as well as on himself. He must seek his happiness in connection with that of his society: he must ascertain the preponderant good of his actions as affecting every one, himself included, liable to be affected by them, and act so as to produce the greatest balance of good or happiness. Why *ought* he so to act? Because, by so acting he will procure a greater sum of happiness to himself than by any other mode of acting. This supposes that all external force is removed, and that his associates act in a similar manner. The modification of his conduct, however, rendered necessary by irrational conduct in others, will be very trifling, and chiefly prudential, to guard calmly against evil.—*Thompson*.

No father can transmit to his son the right of being useless to his fellow-creatures. In a state of society, where every man must be necessarily maintained at the expense of the community, he certainly owes the state so much labour as will pay for his subsistence, and this without exception of rank or person. Rich or poor, strong or weak, every idle citizen is a knave. The man who earns not his subsistence, but who eats the bread of idleness, is no better than a thief; and a pensioner who is paid by the state for doing nothing, differs little from a robber who

is supported by the plunder he makes on the highway.—*Rousseau.*

In the hive of human society, to preserve order and justice, and to banish vice and corruption, it is necessary that all the individuals be equally employed, and obliged to concur equally in the general good; and that the labour be equally divided among them. If there be any whose riches and birth exempt them from all employment, there will be divisions and unhappiness in the hive. Their idleness is destructive of the general welfare.—*Helvetius.*

Every man is entitled, so far as the general stock will suffice, not only to the means of being, but of well-being. It is unjust, if one man labour to the destruction of his health, that another may abound in luxuries. It is unjust, if one man be deprived of leisure to cultivate his rational powers, while another man contributes not a single effort to add to the common stock. The faculties of one man are like the faculties of another. Justice directs, that each, unless perhaps he be employed more beneficially to the public, should contribute to the cultivation of the common harvest, of which each consumes a share. This reciprocity is of the very essence of justice.—*Godwin.*

## PART III.

### OF THE SOURCE, CREATION, AND DISTRIBUTION OF WEALTH.

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GOD has given the earth to the children of men, and he has, undoubtedly, in giving it to them, given them what is abundantly sufficient for all their exigencies: not a scanty, but a most liberal provision for them all. The Author of our nature has written it strongly in that nature, and has promulgated the same law in his written Word, that man shall eat his bread by his labour; and I am persuaded that no man, and no combinations of men, for their own ideas of their particular profit, can, without great impiety, undertake to say, that he shall not do so; that they have no sort of right either to prevent the labour, or to withhold the bread.—*Burke.*

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## CHAPTER I.

### OF LABOUR.

THE soil, say the Economists, is the source of all wealth. But, to prevent this assertion from leading us into erroneous conclusions, it will be necessary to explain it. The materials of all wealth originate primarily in the bosom of the earth; but it is only by the aid of labour that they can ever truly constitute wealth. The earth furnishes the means of wealth; but wealth itself cannot possibly have any existence, unless through that industry and labour which modifies, divides, connects, and combines the various productions of the soil, so as to render them fit for consumption. Commerce, indeed, regards those rude



productions as real wealth ; but it is only from the consideration, that the proprietor has it always in his power to convert them, at will, into consumable goods, by submitting them to the necessary operations of manufacture. They possess, as yet, merely the virtual value of a promissory note, which passes current, because the bearer is assured that he can, at pleasure, convert it into cash. Many gold mines, which are well known, are not worked, because their whole produce would not cover the incidental expenses ; but the gold which they contain is, in reality, the same with that of our coin ; and yet no one would be foolish enough to call it wealth, for there is no probability it will ever be extracted from the mine, or purified ; and, of course, it possesses no value. The wild fowl becomes wealth the moment it is in possession of the sportsman ; while those of the very same species, that have escaped his attempts, remain without any title to the term.—*M. Garnier.*

Every necessary, convenience, and comfort of life is obtained by human labour. 1st, By labour in *cultivating* the earth itself. 2d, By labour in *preparing, making fit, and appropriating* the produce of the earth to the purposes of life. 3d, By labour in *distributing* the produce of both the former kinds of labour. These are the three grand occupations of life ; to which may be added three others ; the *government* or protection of society ; the office of *amusing* and *instructing* mankind ; and the *medical profession*. Every member of the community who is not engaged in one of the two former classes of occupation is an UNPRODUCTIVE member of society. Every unproductive member of society is a DIRECT TAX upon the productive classes. Every unproductive member of society is also an USELESS member of society, unless he gives an EQUIVALENT for that which he consumes.—*Gray.*

The produce of labour constitutes the natural recompense or wages of labour. In that original state of things which precedes both the appropriation of land, and the accumulation of stock, the whole produce of labour belongs to the labourer. He has neither landlord nor master to share with him. Had this state continued, the wages of labour would have augmented with all those improvements in its productive powers, to which the division of labour gives occasion. All things would gradually have

become cheaper. They would have been produced by a smaller quantity of labour; and as the commodities produced by equal quantities of labour would naturally in this state of things be exchanged for one another, they would have been purchased likewise with the produce of a smaller quantity.....As soon as the land becomes private property, the landlord demands a share of almost all the produce which the labourer can either raise or collect from it. His rent makes the first deduction from the produce of the labour which is employed upon the land.—

*Adam Smith.*

*Productive* labour, as that of the manufacturer, adds to the value of the subject on which it is bestowed. *Unproductive* labour, as that of the menial servant, has no such effect. The manufacturer is no expense to his master, his wages being restored with a profit. The maintenance of a menial servant never is restored. The labour of the latter, however, has its value. The labour of the manufacturer realizes itself in some vendible commodity which lasts after the labour is past: that of the menial servant perishes in the very instant of performance.

The labour of some of the most respectable orders of society is like that of menial servants. The sovereign, and all the officers of justice and war, are unproductive labourers. They are servants of the public, and maintained by the industry of the people. Their service produces nothing for which an equal quantity of service can afterwards be procured. In the same class must be ranked, churchmen, lawyers, physicians, men of letters, players, buffoons, opera singers, &c. Productive and unproductive labourers, and those who do not labour at all, are all maintained by the annual produce of the country. This produce has its limits, and is the effect of productive labour.—

*Idem.*

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## SECTION I.

### THE DIVISION OF LABOUR.

THE greatest improvement in the productive powers of labour, and the greater part of the skill with which it is

anywhere directed or applied, seem to have been the *effects* of the division of labour. These effects, in the business of society, will be better understood by considering how it operates in some particular manufactures.

It is commonly supposed that the *division of labour* is carried *farthest* in some *trifling* manufactures, which is probably an error founded upon this circumstance; that the number of workmen, in every branch of these manufactures, being small, may be collected in the same workhouse, and placed *at once* under the view of the spectator; whereas in those manufactures destined to supply the great wants of the people, we can seldom see, *at once*, more than those employed in one single branch. Therefore, the division may be greater, and yet not so obvious.

Example. A person unacquainted with the business of pin-making, could scarcely make a single pin a day; but by *dividing* the business into various branches, which are now distinct trades, each person may be considered as making 4,800 pins in one day.

In all other manufactures the effects of the *division of labour* are *similar* to what they are in this, though they may not be reducible to so great simplicity: hence the increase of the productive powers of labour; the advantages of which have caused the *separation* of different employments. This separation is carried farthest in countries most improved: what is the work of *one* man in a *rude state of society*, being, generally, that of *several* in an *improved* one. Hence the different trades in the woollen and linen manufactures, from the growers of the wool or flax, to the dressers of the cloth.

*Agriculture* does not admit of so many subdivisions of labour as manufactures; the different sorts of labour, in the former, returning with the *seasons*, no man can be constantly employed in any one of them; hence its unimproved state, *in all countries*, compared with manufactures. In agriculture, the labour of the *rich* country is not always much more productive than that of the *poor*. The corn of Poland is generally as good, and as cheap, as that of England, notwithstanding the improved state of the latter. But in manufactures, Poland can pretend to no such competition.

The increase in the quantity of work, which, in conse-

quence of the division of labour, the same number of people are capable of performing, is owing to *three* different circumstances.

(1.) To the increase of dexterity in every particular workman; by reducing every man's business to one simple operation, and by making this operation the sole employment of his life. A common smith, unaccustomed to the making of nails, cannot make more than two or three hundred nails a day; whereas lads, under twenty years of age, who never exercised any other trade but that of making nails, can make 2,300 nails in a day. Neither is this one of the simplest operations, and of course not one where the dexterity of the workman is the greatest.

(2.) To the saving of the time which is commonly lost in passing from one species of work to another. It is impossible to pass *very quickly* from one kind of work to another. A country weaver, who cultivates a small farm, must lose a deal of time in passing from the loom to the field. A man commonly saunters a little in turning his hand from one employment to another; and when he *first* begins the new work, it is seldom with spirit; hence the habit of *indolent, careless* application acquired by every *country* workman, who is obliged to change his tools and work every half-hour.

(3.) Labour is much abridged by the application of proper machinery. The invention of those machines, by which labour is so much facilitated and abridged, seems to have been owing to the *division of labour*: for men are likely to discover the readier methods of attaining any object, when their whole attention is directed towards that single object. It is natural also, that out of many workmen employed in each branch of labour, some one or other should find the readiest method of performing his own particular work. It is a fact, that a great part of the machines, used in those manufactures in which labour is most sub-divided, were the inventions of common workmen. In steam engines, one of the greatest improvements was discovered by a boy who wanted to *save* his labour.

Many improvements in machinery have been made by the ingenuity of the makers of machines; and not a few by philosophers, or men of speculation; whose trade is *not to do any thing, but to observe every thing*. Philosophy, like other employments, is not only a trade, but is subdi-



vided into several classes, which, as in every other business, improves dexterity, and saves time.

The advantages attending the "division of labour," may be supposed to have been discovered in the following manner. On the discovery of agriculture, a society of hunters was probably dissolved, by each man fixing his abode on the spot of land which he cultivated for the subsistence of himself and family. The reason which induced the hunters to abandon their village, and break up their society, would be, that the labour of carrying the corn to their village might be saved, by each man residing on the spot where his corn grew. Each man will then have to labour on the land, and to manufacture his farming implements, his clothing, and his lodging: whilst such a state of things continues, it is manifest that all these arts will remain in the rudest state. But Nature has laid down laws for the perpetual improvement of the human race; and men cannot fail to be constantly adding to their knowledge, of the arts in particular. It will soon happen, that one of these isolated men can make better farming implements than his neighbours, and can also make them more expeditiously. A certain number of his neighbours will agree to cultivate his farm, on condition of his supplying them with farming implements. Mutual advantage will occasion this agreement: the expert maker of farming implements will perceive, that it costs him less labour to make those implements, than to cultivate his farm; and his neighbours will perceive, that it costs them less labour to cultivate his farm, than to make their own farming implements. The expert maker of clothes, and the expert house-builder, will have their farms cultivated for them, on similar conditions, and for the same reasons. The population of a neighbourhood will then be divided into four classes, agriculturists, clothiers, builders, and manufacturers of farming implements; and as each of them now gives his undivided attention to a single object, it will soon happen, that each man's dexterity in his business will have so increased, that an agriculturist can produce a given quantity of food, with one-half the labour it would cost a clothier; and that a clothier can manufacture a given quantity of clothing with one-half of the labour it would cost an agriculturist. When things have arrived at this state, four men will be able to produce as much necessities as



eight men could before: and consequently the country would become twice as wealthy or powerful. Those men who are not agriculturists will probably collect themselves into a village; the labour of transporting their food to the village, will be compensated by the convenience arising from all the artizans being collected on one spot.—*Edwards.*

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## SECTION II.

### PRODUCTIVE LABOUR.

THE annual labour of every nation is the fund which originally supplies it with all the necessities and conveniences of life which it annually consumes, and which consist always either in the immediate produce of that labour, or in what is purchased with that produce from other nations. According, therefore, as this produce, or what is purchased with it, bears a greater or smaller proportion to the number of those who are to consume it, the nation will be better or worse supplied with all the necessities and conveniences for which it has occasion. But this proportion must in every nation be regulated by two different circumstances: first, by the skill, dexterity, and judgment with which its labours are generally applied; and, secondly, by the proportion between the number of those who are employed in useful labour, and that of those who are not so employed. Whatever be the soil, climate, or extent of territory, of any particular nation, the abundance or scantiness of its annual supply must, in that particular situation, depend upon those two circumstances.—*Adam Smith.*

At all times and places, that is dear which it is difficult to come at, or which it costs much labour to acquire; and that cheap which is to be had easily, or with very little labour. Labour alone, therefore, never varying in its own value, is alone the ultimate and real standard by which the value of all commodities can at all times and places be estimated and compared. It is their real price; money is their nominal price only.—*Idem.*

All useful labour—all labour contributing to the power of a people, is engaged in the attainment of plain food, clothing, and lodging, together with national defence.

Wealth properly consists in the abundance of the above-mentioned necessities. Luxuries have frequently been mistaken for wealth, because they are often found associated with power: a reflecting mind, however, cannot fail to perceive that luxuries are only the effect of an abundance of necessities, or real wealth. The mental labour of agriculturists, chemists, machinists, and philosophers, directed towards the improvement of the means of obtaining these necessities, is evidently useful labour; for, by improvement in the useful arts, a given quantity of labour will produce a larger quantity of necessities.—*Edmonds*.

Food, clothing, furniture, habitations, the implements or tools of labour, machinery of all kinds, the variety of instruments and implements necessary to conduct, promote, and improve the sciences; and, indeed, every other article of use and enjoyment which can come under the denomination of wealth, are all, exclusively, the product of human labour. It is true there are some things necessary to our existence and happiness that require no labour to appropriate them to our use and benefit; but these for that very reason are not esteemed wealth; they are generally common blessings, and where tyrants do not or cannot interfere, are evidently intended for the equal enjoyment and benefit of all. Thus, for instance, the air we breathe, though necessary to our existence, yet is not wealth; because no labour is required to appropriate it to the use of man. Neither is light wealth, for the same reason, though equally necessary and beneficial; unless, in the absence of natural light, an *artificial* one is wanted, when the *labour* required to prepare the oil or other substances from which it is obtained, gives it a value, and constitutes it wealth. Water, where it is abundant, and can be appropriated to use without labour, is not wealth; but if it fail, or become scarce in any place where there are numerous inhabitants or collections of people, it there becomes in demand; it is accordingly, if possible, brought from a distance, and the *labour* of transportation turns it into wealth.

The operations of the working or wealth-producing class are two-fold, consisting of *productive* and *official* labour. The first is that which produces or brings into existence some real, tangible article of wealth; as, for instance, a loaf of bread, a coat, a table, &c.; the latter is necessary in effecting exchanges of these different articles; in trans-

porting them from one country, district, or place, to another, as circumstances may require; and in various modes of preparing them for man's use. Those employed in these latter operations are as useful and necessary to the happiness of the community as those actually employed in productive labour, inasmuch as these exchanges and transportations constitute the means of supplying to each individual almost innumerable articles of use, comfort, and convenience, which otherwise could not be obtained. There is, however, a class of men, which we must by no means confound with these official *labourers*, I mean such as effect exchanges by *proxy*, without working at all themselves; and who accumulate the wealth which other people's labour has *created*, through the medium of *profit*. These will be noticed in their proper place.

It is probable that productive labourers (taking the vast number of mechanical and manufacturing, as well as agricultural, occupations into consideration) are far more numerous in this country than official labourers. Be this as it may, these *together* constitute the WORKING CLASS, and as such, come equally under the notice of this address; there is no wealth in the nation but is either created or acquired by exchange, solely and exclusively through the labours of this class. They furnish every individual in the nation with all the *real* wealth, whether it be food, clothing, furniture, habitation, or any other article of convenience or luxury which it is possible for him to enjoy.—*Anon.*

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### SECTION III.

#### UNPRODUCTIVE LABOUR.

LUXURY and extravagance, we are told, “makes good for trade;” and under the present system it does so. But, can any rational being suppose that society is founded on right principles, when we find its effects are to render luxury and extravagance advantageous? Have we really brought our minds to suppose, that the more we squander, the more we shall have? Are we for ever to be told, that the man who is spending thousands in the gratification of some absurd whim, is doing good, because he circulates

money amongst tradesmen, and because he furnishes employment for a number of working men? Every labouring man, so employed, is a useless member of society, for the produce of his labour is useless; and the effect is, a direct tax on the productive labourer usefully employed. This state of things will have an end; the system is as weak as it is absurd and destructive. . . . There is nothing like instances.

The manufacture of lace is now brought to great perfection in this country. In some instances, a single dress is worth 100*l.* or more. That is, it may really have cost so much of the time and labour of an industrious man, that it would not pay his employer a reasonable profit to sell it for a less sum. Now, are we to consider the maker of such dresses a useful member of society, because by his labour a family is provided with the necessaries of life, during the time he is so employed? Most certainly not. The *lace dress* is the produce of his labour, and it is *useless*. It can neither be eaten nor drunk; and it forms no part of *useful* wearing apparel. It is made only to please the fancy, and to be looked at. It will not compare, in point of real utility, with a penny loaf, or a glass of cold water. The provisions that the maker of it has been consuming, the clothes that he has been wearing, and the house that he has been occupying, are the produce of *other men's labour*, not of his; and this useless, senseless plaything is the *artifice* by which he is enabled to supply himself with those necessaries which he requires, from the labour of others; who receive in exchange for them—what? A lace dress? A carriage? An elegant mansion? No, none of these. A small sum of money, sufficient only to enable them to re-purchase about *one-fifth part of the produce of their own labour*, or of the equivalent labour of others! What, we would ask, does the purchaser of such a dress give for it? He gives one hundred pounds, *taken, perhaps, by the rent of land, out of the produce of the industry of the agricultural labourer*. He gives of that which is strictly his own, nothing! No! not the value of a straw. And what does the labourer give for his scanty pittance? He gives *the remaining fifth* of the produce of his industry, of which he has not been defrauded—and why? Not because any protection is afforded to it by the existing arrangements of society; but, because without it he could



not *even exist*, to be the slave of others. The rich man, who, in fact, pays nothing, receives every thing; while the poor man, who, in point of fact, pays every thing, receives nothing!—*Gray*.

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## CHAPTER II.

### CAPITAL.

CAPITAL is wealth employed in the production of other wealth. Political economists divide capital into two kinds. 1. Fixed capital: 2. Circulating capital; or what, without encroaching on their capital, they can place in their stock reserved for immediate consumption. *Fixed capital* consists of the tools and instruments the labourer works with, the machinery he makes and guides, and the buildings he uses either to facilitate his exertions, or to protect their produce. The intention of this description of capital is to increase the productive powers of labour. *Circulating capital* consists of money, provisions, materials, and finished work; and its intention and use is to aid the labourer in producing those things upon which he is employed.

Throughout the world, there exists a serious contest between capital and labour. The claims of capital are sanctioned by almost universal custom; and as long as the labourer did not feel himself aggrieved by them, it was of no use opposing them with arguments. But now, when the practice excites resistance, we are bound, if possible, to overthrow the theory on which it is founded and justified. It is accordingly against this theory that my arguments will be directed. Wages vary inversely as profits; or wages rise when profits fall, and profits rise when wages fall; and it is therefore profits, or the capitalist's share of the national produce, which is opposed to wages, or the share of the labourer. The theory on which profits are claimed, and which holds up capital and accumulation of capital to our admiration as the main spring of human improvement, is that which the labourers must, in their own interest, examine, and must, before they can have any hope



of a permanent improvement in their own condition be able to refute. They must be able to show the hollowness of the theory on which the claims of capital, and on which all the oppressive laws made for its protection are founded.

"The produce of the earth," says Mr. Ricardo,—"*all* that is derived from its surface by the united application of labour, machinery, and capital, is divided among three classes of the community; namely, the proprietor of the land, the owner of the stock or capital necessary for its cultivation, and the labourers by whose industry it is cultivated."\*

"It is self-evident," says Mr. McCulloch, "that only three classes, the labourers, the possessors of capital, and the proprietors of land, are ever directly concerned in the production of commodities. It is to them, therefore, that all which is derived from the surface of the earth, or from its bowels, by the united application of immediate labour, and of capital, or accumulated labour, must primarily belong. The other classes of society have no revenue except what they derive either voluntarily or by compulsion from these three classes."

The proportions in which the *whole* produce is divided among these three classes is said to be as follows:—"Land is of different degrees of fertility." "When in the progress of society, land of the second quality (or an inferior degree of fertility to land before cultivated) is taken into cultivation, rent immediately commences on that of the first quality, and the amount of that rent will depend on the difference in the quality of these two portions of land."† Rent, therefore, or that quantity of the whole produce of the country which goes to the landlords, is, in every stage of society, that portion of this produce which is obtained from every district belonging to a politically organized nation, more than is obtained from the *least* fertile land cultivated by or belonging to that nation. It is the greater produce of all the land which is more fertile than the least fertile land cultivated. To produce this surplus would not break the back, and to give it up would not break the heart

\* Principle of Pol. Econ. 2d edit. preface, p. 1.

† Principles of Pol. Econ.—This theory of rent has been exploded by the author of the Catechism on the Corn Laws; but the error is not material to the arguments that follow.

of the labourer. The landlord's share, therefore, does not keep the labourer poor.

The labourer's share of the produce of a country, according to this theory, is the "necessaries and conveniences required for the support of the labourer and his family; or that quantity which is necessary to enable the labourers, one with another, to subsist and to perpetuate their race, without either increase or diminution." Whatever may be the truth of the theory in other respects, there is no doubt of its correctness in this particular. The labourers do only receive, and ever have only received, as much as will subsist them; the landlords receive the surplus produce of the more fertile soils, and all the rest of the whole produce of labour in this and in every country, goes to the capitalist, under the name of profit for the use of his capital.

Capital which thus engrosses the whole produce of a country, except the bare subsistence of the labourer, and the surplus produce of fertile land, is, "the produce of labour," "is commodities," "is the food the labourer eats, and the machines he uses;" so that we are obliged to give that enormous portion of the whole produce of the country which remains, after we have been supplied with subsistence, and the rent of the landlord has been paid for the privilege of eating the food we have ourselves produced, and of using our own skill in producing more. *Capital*, the reader will suppose, must have some wonderful properties, when the labourer pays so exorbitantly for it. In fact, its claims are founded on its wonderful properties, and to them, therefore, I mean especially to direct his attention.

Several writers have endeavoured to point out the method in which capital aids production.

Mr. M'Culloch says, "The accumulation and employment of both fixed and circulating capital is indispensably necessary to elevate any nation in the scale of civilization. And it is only by *their conjoined and powerful operation* that wealth can be largely produced and universally diffused."\*

"The quantity of industry," he further says, "therefore, not only increases in every country with the increase of the stock or capital which sets it in motion; but, in con-

\* Article Political Economy in Supplement to Ency. Britan.

sequence of this increase, the division of labour becomes extended, new and more powerful implements and machines are invented, and the same quantity of labour is thus made to produce an infinitely greater quantity of commodities. Besides its effect in enabling labour to be divided, capital contributes to facilitate labour, and produce wealth in the three following ways:—*First*, It enables us to execute work that could not be executed, or to produce commodities that could not be produced without it. *Second*, It saves labour in the production of almost every species of commodities. *Third*, It enables us to execute work better, as well as more expeditiously.”

Mr. Mill's account of these effects, though not so precise, is still more astounding. “The labourer,” he says, (page 40,) “has neither raw materials nor tools. These are provided for him by the capitalist. For making this provision, the capitalist of course expects a reward.” According to this statement the capitalist provides for the labourer, and only, therefore, expects a profit. In other parts of his book it is not the capitalist who provides, but the capital which works. He speaks of capital as an instrument of production co-operating with labour, as an active agent combining with labour to produce commodities, and thus he satisfies himself, and endeavours to prove to the reader, that capital is entitled to all that large share of the produce it actually receives. He also attributes to capital power of accumulation. This power or tendency to accumulate, he adds, is not so great as the tendency of population to augment—and on the difference between these two tendencies he and other authors have erected a theory of society which places poor mother Nature in no favourable light.

I shall now proceed to *examine the effects of capital*; and *I shall begin with circulating capital*. Mr. M'Culloch says, “without circulating capital,” meaning the food the labourer consumes, and the clothing he wears, “the labourer never could engage in any undertaking which did not yield an almost immediate return.” Afterwards, he says, “that division of labour is a consequence of previous accumulation of capital;” and he quotes the following passage from Dr. Smith, as a proper expression of his own opinions:—

“Before labour can be divided, ‘a stock of goods of

different kinds must be stored up somewhere, sufficient to maintain the labourer, and to supply him with the materials and tools for carrying on his work. A weaver, for example, could not apply himself entirely to his peculiar business, unless there was beforehand stored up somewhere, either in his own possession, or in that of some other person, a stock sufficient for his maintenance, and for supplying him with the materials and implements required to carry on his work, till he has not only completed, but sold his web. This accumulation must evidently be previous to his applying himself for so long a time to a peculiar business.’”

The only advantage of circulating capital is, that by it the labourer is enabled, he being assured of his present subsistence, to direct his power to the greatest advantage. He has time to learn an art, and his labour is rendered more productive when directed by skill. Being assured of immediate subsistence, he can ascertain which, with his peculiar knowledge and acquirements, and with reference to the wants of society, is the best method of labouring, and he can labour in this manner. Unless there were this assurance there could be no continuous thought, no invention, and no knowledge but that which would be necessary for the supply of our immediate animal wants. The weaver, I admit, could not complete his web, nor would the shipwright begin to build a ship, unless he knew that while he was engaged in this labour he should be able to procure food. A merchant certainly could not set out for South America or the East Indies unless he were confident that during the period of his absence, he and his family could find subsistence, and that he would be able at the end of his voyage to pay all the expenses he had incurred. It is this assurance, this knowledge, this confidence of obtaining subsistence and reward, which enables and induces men to undertake long and complicated operations; and the question is, do men derive this assurance, from a stock of goods already provided, (saved from the produce of previous labour,) and ready to pay them, or from any other source?

*I shall endeavour to show that this assurance arises from a general principle in the constitution of man, and that the effects attributed to a stock of commodities, under the name of circulating capital, are caused by co-existing labour.*



The labourer, the real maker of any commodity, derives this assurance from a knowledge he has that the person who sets him to work will pay him, and that with the money he will be able to buy what he requires. *He* is not in possession of any stock of commodities. Has the person who employs him and pays him such a stock? Clearly not. Only a very few capitalists possess any of those commodities which the labourers they employ consume. Farmers may have a stock of corn, and merchants and ship-owners may have a few weeks' or months' supply of provisions for their seamen, according to the length of the voyage they are to undertake; but, beyond this, no capitalist possesses, ready prepared, the commodities which his labourers require. He possesses money, he possesses credit with other capitalists, he possesses, under the sanction of the law, a power over the labour of the slave-descended labourer, but he does not possess food or clothing. He pays the labourer his money-wages, and the expectation which other labourers have of receiving part of these wages, or other wages, induces them in the meantime to prepare the clothing and food the labourer constantly requires. Not to deal, however, in general terms and abstractions, doing which seems to have led other writers astray, let us descend to particulars.

A great cotton manufacturer—we will suppose, for example, a Sir Robert Peel, or any other of those leviathans, who are so anxious to retain their power over us, and who, as legislators, either in their own persons or in the persons of their sons, make the laws which both calumniate and oppress us—employs a thousand persons, whom he pays weekly; does *he* possess the food and clothing ready prepared which these persons purchase and consume daily? Does *he* even *know* whether the food and clothing they require are prepared or created? In fact, are the food and clothing which his labourers will consume prepared beforehand, or are other labourers busily employed in preparing food and clothing while his labourers are making cotton-yarn? Do all the capitalists of Europe possess at this moment one week's food and clothing for all the labourers they employ? No such thing. One portion of the food of the people is *bread*, which is never prepared till within a few hours of the time when it is eaten. For the cotton-spinner to be able to attend only to his peculiar

species of industry, it is indispensable that other men should be constantly engaged in completing this complicated process, every part of it being as necessary as the part performed by the agriculturalist. His conviction that he will obtain bread when he requires it, and his master's conviction, that the money he pays him will enable him to obtain it, arise simply from the fact that the bread has always been obtained when required. Another article of the labourer's food is milk, and milk is manufactured, not to speak irreverently of the operations of nature, twice a-day. The meat, also, which the labourer eats, is not ready even for cooking, till it is on the shambles; and it cannot be stored up, for it begins instantly to deteriorate after it is brought to market. The cattle which are to be slaughtered require the same sort of care and attention as cows; and not one particle of meat could the cotton-spinner ever procure, were not the farmer, the grazier, and the drover continually at work, preparing meat while he is preparing cotton. But after the meat is brought to market, it is not even then ready for consumption. We are not cannibals; and either our wives, or some labourer who makes this his business, completes the preparation of the meat only a few hours, or even minutes, before it is eaten. Of the drink of the labourer, that which is supplied by nature never ceases to flow. His beer is prepared only so long before it is drunk as is necessary to have it good; and, while the existing stock is disposing of, the brewer is busy creating a fresh supply. There may probably be as much tea imported at one time as serves for a few months, and, while this stock is consuming, ships are continually arriving with more.

Other examples might be brought from every branch of industry, if it were necessary to examine each one in detail, for, in this respect, every labourer is similarly situated. The farmer knows he will be able to get clothes when he requires them, and the tailor knows he will be able to get food; but the former knows nothing of any stored-up stock of clothes, and the latter nothing of any stored-up stock of provisions. The labourer knows that when he is able to pay for bread, meat, and for drink, he can procure them, but he knows nothing further; and I have shown that these are not prepared till he needs them. As far as food, drink, and clothing are concerned, it is quite plain, then, that no species of labourer depends on any previously

prepared stock, for in fact no such stock exists ; but every species of labourer does constantly, and at all times, depend for his supplies on the co-existing labour of some other labourers.

To enable either the master manufacturer or the labourer to devote himself to any particular occupation, it is only necessary that he should possess—not as political economists say—a stock of commodities, or circulating capital, but a conviction that while he is labouring at his particular occupation, the things which he does not produce himself will be provided for him, and that he will be able to procure them, and pay for them, by the produce of his own labour. This conviction arises, in the first instance, without any reflection, from habit. As we expect that the sun will rise to-morrow, so we also expect that men in all time to come, will be actuated by the same motives as they have been in times past. If we push our inquiries still further, all that we can learn is, that there are other men in existence who are preparing those things we need, while we are preparing those which they need. The conviction may, perhaps, ultimately be traced then to our knowledge that other men exist and labour, but never to any conviction or knowledge that there is a stored-up stock of commodities. It is labour which produces all things as they are wanted, and the only thing which can be said to be stored-up or previously prepared, is the skill of the labourer. Where that skill exists, these commodities may always be procured when wanted.

Mr. Mill says, and says justly, “ what is annually produced is annually consumed,” so that, in fact, to enable men to carry on all those operations which extend beyond a year, there cannot be any stock of commodities stored up. Those who undertake them must rely, therefore, not on any commodities already created, but that other men will labour and produce what they are to subsist on till their own products are completed. Thus, should the labourer admit that some accumulation of circulating capital is necessary for operations terminated within the year, it is plain, that in all operations which extend beyond a year, the labourer does not, and he cannot, rely on accumulated capital.

Of all the important operations which require more than a year to complete them, by far the most important is the rearing of youth and teaching them skilled labour, or some

wealth-creating art. But this most important operation is performed, as far as the great mass of the labourers are concerned, without any circulating capital whatever. The labour of the parents produces and purchases, with what they receive as wages, all the food and the clothing which the rising generation of labourers use, while they are learning those arts by means of which they will hereafter produce all the wealth of society. For the rearing and educating all future labourers, their parents have no stock stored up beyond their own practical skill. Under the strong influence of natural affection and parental love, they prepare by their toils, continued day after day, and year after year, through all the long period of the infancy and childhood of their offspring, those future labourers who are to succeed to their toils and their hard fare, but who will inherit their productive power, and be what they now are, the main pillars of the social edifice.

If we duly consider the number and importance of those wealth-producing operations which are not completed within the year, and the numberless products of daily labour, necessary to subsistence, which are consumed as soon as produced, we shall, I think, be sensible that the success and productive power of every different species of labour is at all times more dependant on the co-existing productive labour of other men, than on any accumulation of circulating capital. The labourer, having no stock of commodities, undertakes to bring up his children, and teach them a useful art, always relying on his own labour; and various classes of persons undertake tasks, the produce of which is not completed for a long period, relying on the labour of other men to procure them, in the meantime, what they require for subsistence. All classes of men carry on their daily toils in the full confidence that while each is engaged in his particular occupation, some others will prepare whatever he requires, both for his immediate and future consumption and use. This confidence arises from that law of our nature by which we securely expect the sun will rise to-morrow, and that our fellow-men will labour on the morrow and during the next year, as they have laboured during the year and the day which have passed; and not from a knowledge of any produce of previous labour stored up for use. It is by the command the capitalist possesses over the labour of some men, not



by his possessing a stock of commodities, that *he* is enabled to *support*, and consequently employ other labourers.

I come now to examine, secondly, the *nature* and *effects* of *fixed capital*. Fixed capital consists of the tools and instruments the labourer works with, the machinery he makes and guides, and the buildings he uses either to facilitate his exertions or to protect their produce. Unquestionably by using these instruments, man adds wonderfully to his power. Without a hand-saw (a portion of fixed capital) he could not cut a tree into planks; with such an instrument, he could, though it would cost him many hours or days; but with a saw-mill, he could do it in a few minutes. Every man must admit that by means of instruments and machines, the labourer can execute tasks he could not possibly perform without them,—that he can perform a greater quantity of work in a given time, and that he can perform the work with greater nicety and accuracy, than he could possibly do had he no instruments and machines. But the question then occurs, what produces instruments and machines, and in what degree do they aid production, independent of the labourer, so that the owners of them are entitled to by far the greater part of the whole produce of the country? Are they, or are they not, the produce of labour? Do they, or do they not, constitute an efficient means of production, separate from labour? Are they, or are they not, so much inert decaying and dead matter, of no utility whatever, possessing no productive power whatever, but as they are guided, directed, and applied by skilful hands?

It is admitted by those who contend most strenuously for the claims of capital, that all instruments and machines are the produce of labour. They add, however, that they are the produce of previous labour, and are entitled to profit, on account of having been saved or stored up. But the manufacture of instruments and tools is quite as uninterrupted as the manufacture of food and clothing. They are not all consumed or used within a year, but they are brought into use as soon as possible after they are made. Nobody who manufactures them stores them up; nor does he make them for this purpose. As long as they are merely the result of previous labour, and are not applied to their respective uses by labourers, they do not repay the expense of making them. It is only when they are so applied that

they bring any profit. They are made solely for the use of the labourer, and directly they come into his hands, they return or repay the capitalist the sum they cost him; and over and above this, the labourer must give him an additional sum corresponding to the rate of profit in the country. It is plainly not the previous creation of these things which entitles them to profit, for most of them diminish in value from being kept. Fixed capital does not derive its utility from previous, but present labour; and does not bring its owner a profit because it has been stored up, but because it is a means of obtaining a command over labour.

The production of fixed capital cannot be attributed to circulating capital, in the ordinary sense; but certainly those who make instruments must be confident they will be able to obtain food, or they would never think of making instruments. The smith, while he is making or mending the farmer's ploughshare, trusts to the farmer to do his part in procuring a supply of food; and the farmer, while he tills his fields, trusts to the smith to prepare for him the necessary instruments. These instruments are not the produce of circulating capital and of labour, but of labour alone, and of the labour of two or more co-existing persons. All fixed capital, not only in the first instance, as is generally admitted, but in every stage of society, at every period in the history of man, is the creation of labour and of skill, of different species of labour and skill certainly, but of nothing more than labour and skill.

After any instruments have been made, what do they effect? Nothing. On the contrary, they begin to rust or decay unless used or applied by labour. The most perfect instrument which the cunning hand of man can make, is not instinct with life, and it constantly needs the directing hand of its creator, or of some other labourer. Whether an instrument shall be regarded as productive capital or not, depends entirely on its being used, or not, by some productive labourer.

It has been asked, what could a carpenter effect without his hatchet and his saw? I put the converse of the question, and ask what the hatchet and the saw could effect without the carpenter? Rust and rottenness must be the answer. A plough or a scythe may be made with the most cunning art, but to use either of them, a man must have an adroit turn of the hand, or a peculiar species of

skill. The shoemaker who can thrust awls through leather with singular dexterity and neatness, cannot make any use of a watchmaker's tools; and the most skilful and dexterous maker of plane, saw, and chisel-blades, would find it difficult to construct with them any of that furniture which the cabinet-maker forms with so much dispatch and beautiful effect. Almost every species of workman, however, from having acquired a certain dexterity in the use of his hands, and from having frequently seen the operations of other workmen, could learn the art of another man much better than a person who had never practised any kind of manual dexterity, and never seen it practised. But if a skilled labourer could not direct any kind of instruments so well as the man who has been constantly accustomed to use them, it is plain that the whole productive power of such instruments must depend altogether on the peculiar skill of the artizan and mechanic, who has been trained to practise different arts. Fixed capital, of whatever species, then, is only a costly production, costly to make, and costly to preserve, without that particular species of skill and labour, which guides each instrument, and which, as I have before shown, is nourished, instructed, and maintained by wages alone. The utility of the instruments the labourer uses, can in no wise be separated from his skill. Whoever may be the owner of fixed capital—and in the present state of society he who makes it, is not, and he who uses it, is not,—it is the hand and knowledge of the labourer which make it, preserve it from decay, and which use it to any beneficial end.

For a nation to have fixed capital, then, and to make a good use of it, three things, and only three things, seem to be requisite. First, knowledge and ingenuity for inventing machines; and no labourer would be disposed to deny to these their reward. The second requisite is the manual skill and dexterity for carrying these inventions into execution. The third requisite is the skill and labour to use these instruments after they are made. Without knowledge they could not be invented, without manual skill and dexterity they could not be made, and without skill and labour they could not be productively used. But there is nothing more than knowledge, skill, and labour requisite, on which the capitalist can found a claim to any share of the produce.

I have now shown that the effects attributed to circulating capital, result from co-existing labour, and the assurance common to each labourer, that he will be able to procure what he wants; or that while he is at work, other men are also at work. I have also shown that fixed capital is produced by the skill of the labourer. Circulating capital, consisting of food and clothes, is created only for consumption; while fixed capital, consisting of instruments and tools, is made not to be consumed, but to aid the labourer in producing those things which are to be consumed. There is no analogy between these two descriptions of commodities, except that both are the produce of labour, and both give the owner of them a profit.

There is, however, a striking difference between them, which deserves to be noticed. It is usually stated, that "the productive industry of any country is in proportion to its capital, increases when its capital increases, and declines when its capital declines." This position is true, only of circulating capital, but not of fixed capital. The number of productive labourers depend certainly on the quantity of food, clothing, &c., produced and appropriated to their use; it is not, however, the *quantity* but the *quality* of the fixed capital on which the productive industry of a country depends. Instruments are productive, to use the improper language of the Political Economist, not in proportion as they are multiplied, but as they are efficient. It is probable, that since Mr. Watt's improvements on the steam engine, one man can perform as much work with these instruments as ten did before. As the efficiency of the fixed capital is increased by men obtaining greater knowledge and greater skill, it is quite possible, and is the case, that a greater quantity of commodities, or a greater means of nourishing and supporting men, is obtained with less capital. Although, therefore, the number of labourers must at all times depend on the quantity of circulating capital—or, on the quantity of the products of co-existing labour, which labourers are allowed to consume—the quantity of commodities they produce will depend on the efficiency of their fixed capital. Circulating capital nourishes and supports men as its quantity is increased; fixed capital as a means of nourishing and supporting men, depends, for its efficiency, altogether on the skill of the labourer, and consequently the productive industry of a



country, as far as fixed capital is concerned, is in proportion to the knowledge and skill of the people.

The warmest admirers of circulating capital will not pretend that it adds in the same way as fixed capital to the productive power of the labourer. The most extraordinary visionary who ever wrote, cannot suppose circulating capital adds anything to productive power. The degree and nature of the utility of both species of capital is perfectly different and distinct. The labourer subsists on what is called circulating capital; he works with fixed capital. But equal quantities, or equal values of both these species of capital, bring their owner precisely the same amount of profit. We may, from this single circumstance, be quite sure that the share claimed by the capitalist for the use of fixed capital, is not derived from the instruments increasing the efficiency of labour, or from the utility of these instruments; and profit is derived in both cases from the power which the capitalist has over the labourer who consumes the circulating, and who uses the fixed capital. How he obtained this power I shall not now inquire, further than to state, that it is derived from the whole surface of the country having been at one period monopolized by a few persons; and the consequent state of slavery in which the labourer formerly existed in this country, as well as throughout Europe. As the profits of the capitalist on fixed capital are not derived from the utility of these instruments, it is useless to inquire what share ought to belong to the owner of the wood and iron, and what share ought to belong to the person who uses them. He who makes the instruments is entitled, in the eye of justice, and in proportion to the labour he employs, to as great a reward as he who uses them; but he is not entitled to a greater; and he who neither makes nor uses them, has no just claim to any portion of the produce.

Betwixt him who produces food, and him who produces clothing—betwixt him who makes instruments, and him who uses them—in steps the capitalist, who neither makes nor uses them, and appropriates to himself the produce of both. With as niggard a hand as possible, he transfers to each a part of the produce of the other, keeping to himself the larger share. Gradually and successively has he insinuated himself betwixt them, expanding in bulk as he has been nourished by their increasingly productive labours,

and separating them so widely from each other, that neither can see whence that supply is drawn which each receives through the capitalist. While he despoils both, so completely does he exclude one from the view of the other, that both believe they are indebted to him for subsistence. He is the *middle-man* of all labourers; and not only does he appropriate the produce of the labourer, but he has succeeded in persuading him that he is his benefactor and employer. At least, such are the doctrines of political economy; and capitalists may well be pleased with a science which both justifies their claims, and holds them up to our admiration, as the great means of civilizing and improving the world.

To show the labourer the effects which bestowing this abundant reward on the supposed productive powers of food, clothing, and instruments, has on his poverty or wealth, I must observe, that all political economists agree in saying, that all savings in society are usually made by capitalists. The labourer cannot save; the landlord is not disposed to save; whatever is saved, is saved from profits, and becomes the property of the capitalists. Now let us suppose that a capitalist possesses, when profit is at 10 per cent. per annum, 100 quarters of wheat, and 100 steam engines, he must, at the end of a year, be paid for allowing the labourer to eat this wheat, and use these steam engines, with 110 quarters of wheat, and 110 steam engines, all in the same excellent condition as the 100 steam engines were at the beginning. It being an admitted principle, that, after a portion of fixed capital is prepared, it must be paid for at a rate sufficient to pay the ordinary rate of interest, and provide for the repairs or the remaking of the instrument. Let us suppose that five quarters of wheat and five steam engines, or the value of this quantity, suffices for the owner's consumption, and that the other five of his profit being added to his capital, he has the next year one hundred and five quarters of wheat, and one hundred and five steam engines, which he allows labourers to eat or use; for these the labourer must produce for him, the following year, supposing the rate of profit to continue the same, a sufficient sum to replace the whole of this capital, with the interest, or 115 quarters four bushels of wheat, and 115½ steam engines. Supposing that the value of the five quarters and of five steam engines suffices for the consumption,

of the capitalist, he will have the next year 110 quarters 4 bushels, and  $110\frac{1}{2}$  steam engines, for the use of which he must be paid at the same rate; or the labourer must produce and give him, the third year, 121 quarters and  $\frac{1}{20}$ th of a quarter, and 121 steam engines and  $\frac{1}{20}$ th of a steam engine. It is of no use calculating all these fractions, or carrying the series further; it is enough to observe, that every atom of the capitalist's revenue, which he puts out to use, or, as it is called, saves, which means given or lent to labourers, goes on increasing at compound interest. One penny put out to compound interest at our Saviour's birth, at five per cent., would, in the year 1791, amount to a sum greater than could be contained in three hundred millions of globes like this earth, all solid gold.

Perhaps I can make the evil effects of capital more apparent by another sort of example. The real price of a coat, or a pair of shoes, or a loaf of bread, all which nature demands from man in order that he may have either of these very useful articles, is a certain quantity of labour; how much it is almost impossible to say, from the manufacture of a coat, a pair of shoes, or a loaf of bread, being completed by many persons. But for the labourer to have either of these articles, he must give over and above the quantity of labour nature demands from him, a still larger quantity to the capitalist. Before he can have a coat, he must pay interest for the farmer's sheep, interest on the wool after it has got into the hands of the wool merchant, interest for this same wool as raw material, after it is in the hands of the manufacturer, interest on all the buildings and tools he uses, and interest on all the wages he pays his men. Moreover he must pay interest or profit on the tailor's stock, both fixed and circulating, and this rate of interest is increased in all these instances by something more being always necessary to pay the rent of all these different capitalists. In the same manner, before a labourer can have a loaf of bread, he must give a quantity of labour more than the loaf costs, by all that quantity which pays the profit of the farmer, the corn dealer, the miller, and the baker, with profit on all the buildings they use; and he must moreover pay with the produce of his labour the rent of the landlord. How much more labour a labourer must give to have a loaf of bread than that loaf costs, it is impossible to say. I should probably underrate it, were I to state it at six times; or

were I to say that the real cost of that loaf, for which the labourer gives sixpence, is one penny. The Corn Laws, execrable as they are in principle, and mischievous as they are to the whole community, do not impose any thing like so heavy a tax on the labourer as capital. Indeed, however injurious they may be to the capitalist, it may be doubted whether they are so to the labourer. They diminish the rate of profit, but they do not in the end lower the wages of labour. Whether there are Corn Laws or not, the capitalist must allow the labourers to subsist, and as long as his claims are granted, and acted on, he will never allow him to do more. In other words, the labourer will always have to give much about the same quantity of labour to the capitalist for a loaf, whether that loaf be the produce of one hour's or one day's labour.

What the capitalist really puts out to interest, however, is not gold or money, but food, clothing, and instruments; and his demand is always to have more food, clothing, and instruments produced than he puts out. No productive power can answer this demand, and both the capitalists and political economists find fault with the wisdom of nature, because she refuses to minister to the avarice of the former, and does not exactly square in her proceedings with the latter.

Of course the ultimate term to which compound interest tends, can never be reached. Its progress is gradually but perpetually checked, and it is obliged to stop far short of the desired goal. Accordingly, in most books on Political Economy, one or the other of two causes is assigned for the constant falling off of profit in the progress of society. The political economists either say with Adam Smith, that the accumulation of capital lowers profits: or, with Mr. Ricardo, that profits are lowered by the increasing difficulty of procuring subsistence. Neither of them has assigned it to the right cause, the impossibility of the labourer answering the demands of the capitalist. A mere glance must satisfy every mind, that simple profit does not decrease but increase in the progress of society—that is, the same quantity of labour which at any former period produced one hundred quarters of wheat, and one hundred steam engines, will now produce somewhat more, or the value of somewhat more, which is the same thing: or where is the utility of all our boasted improvements? In fact, also, we find that



a much greater number of persons now live in opulence on profit in this country than formerly. It is clear, however, that no labour, no productive power, no ingenuity, and no art, can answer the overwhelming demands of compound interest. But all saving is made from the revenue of the capitalist, so that actually these demands are constantly made, and as constantly the productive power of labour refuses to satisfy them. A sort of balance is, therefore, constantly struck. The capitalists permit the labourers to have the means of subsistence, because they cannot do without labour, contenting themselves very generously with taking every particle of produce not necessary to this purpose. It is the overwhelming nature of the demands of capital, sanctioned by the laws of society, sanctioned by the customs of men, enforced by the legislature, and warmly defended by political economists, which keep, which ever have kept, and which ever will keep, as long as they are allowed and acquiesced in, the labourer in poverty and misery.

Mr. Ricardo has justly defined the price of labour to be such a quantity of commodities as will enable the labourers, one with another, to subsist, and to perpetuate their race, without either increase or diminution. Such is all which the nature of profit or interest on capital will allow them to receive, and such has ever been their reward. The capitalist must give the labourers this sum, for it is the condition he must fulfil in order to obtain labourers; it is the limit which nature places to his claims, but he never will give, and never has given more.

Unfortunately, there is, in general, a disposition to restrict the term labour to the operation of the hands. But if it should be said, that the skill of the practised labourer is a mere mechanical sort of thing, nobody will deny that the labour by which he acquired that skill was a mental exertion. The exercise of that skill, also, requiring the constant application of judgment, depends much more on a mental than on a bodily acquirement.

Masters, it is evident, are labourers as well as their journeymen. In this character their interest is precisely the same as that of their men. But they are also either capitalists or the agents of the capitalist, and in this respect their interest is decidedly opposed to the interest of their workmen. As the contrivers and enterprising undertakers of new works, they may be called employers as well as

labourers, and they deserve the respect of the labourer. As capitalists, and as the agents of the capitalist, they are merely middle men, oppressing the labourer, and deserving of any thing but his respect. The labourer should know and bear this in mind. Other people should also remember it, for it is indispensable to correct reasoning, to distinguish between these two characters of all masters. If by combining, the journeymen were to drive masters, who are a useful class of labourers, out of the country,—if they were to force abroad the skill and ingenuity which contrive, severing them from the hands which execute, they would do themselves and the remaining inhabitants considerable mischief. If, on the contrary, by combining they merely incapacitate the masters from obtaining any profit on their capital, and merely prevent them from completing the engagements they have contracted with the capitalist, they will do themselves and the country incalculable service. They may reduce or destroy all together the profit of the idle capitalist—and from the manner in which capitalists have treated labourers, even within our own recollection, they have no claim on the gratitude of the labourer,—but they will augment the wages and rewards of industry, and will give to genius and skill their due share of the national produce. They will also increase prodigiously the productive power of the country by increasing the number of skilled labourers. The most successful and widest spread possible combination to obtain an augmentation of wages would have no other injurious effect than to reduce the incomes of those who live on profit and interest, and who have no just claim, but custom, to any share of the national produce.

This analysis of the operations of capitals, leads us at once boldly to pronounce all those schemes of which we have of late heard so much for improving countries, by sending capital to them, to be mere nonsense. Of what use, for example, would the butter, and salt-beef, and pork, grain now exported from Ireland, be of in that country, if they were to be left there, or if they were to be sent back? All these articles form some of the most valuable parts of circulating capital, and so far from there being any want of them in Ireland, they are constantly exported in great quantities. It is plain, therefore, that there is no want of circulating capital in Ireland, if the capitalist would allow

the wretched producer of it to consume it. Of what use also would steam engines, or power looms, or stocking frames, or mining tools, be of to the peasantry of Ireland? Of none whatever. If, indeed, masters and journeymen went over with these instruments and tools, they might use them, and by consuming at the same time the circulating capital now exported from Ireland, give the owner of it a large profit; and they might teach the ignorant and helpless natives how to make use of the various instruments I have mentioned. Those who talk of improving Ireland, or any other country, by capital have a double meaning in their words. They know the power of the capitalist over the labourer, and that wherever the master goes or sends, there also must the slave-labourer go. But neither the law-maker nor the capitalist possesses any miraculous power of multiplying loaves and fishes; or of commanding, like the enchanters of old, broomsticks, to do the work of men. They must have labourers, skilled labourers, and without them it is nonsense to talk of improving a country and a people by corn, and cloth, and hatchets, and saws.

Without joining in any of the common-place observations against taking interest, and against usury, which, however, support my view of capital, I have shown that it has no just claim to any share of the labourer's produce, and that what it actually receives is the cause of the poverty of the labourer. It is impossible that the labourer should long remain ignorant of these facts, or acquiesce in this state of things. In truth, also, however the matter may be disguised, the combinations among workmen to obtain higher wages, which are now so general and so much complained of, are practical attacks on the claims of capital. The weight of its chains are felt, though the hand may not yet be clearly seen which imposes them. Gradually as the resistance increases, as laws are multiplied for the protection of capital, as claims for higher wages shall be more strenuously and more violently repressed, the cause of this oppression will be more distinctly seen. The contest now appears to be between masters and journeymen, or between one species of labour and another; but it will soon be displayed in its proper characters, and will stand confessed a war of honest industry against the idle profligacy which has so long ruled the affairs of the political world with undisputed authority—which has, for its own security, added honour

and political power to wealth, and has conjoined exclusion and disgrace with the poverty it has inflicted on the labourer. On the side of the labourers there is physical strength, for they are more numerous than their opponents. They are also fast losing that reverence for their opponents which was and is the source of their power, and they are daily acquiring a moral strength which results from a common interest and a close and intimate union.

The capitalists and labourers form the great majority of the nation, so that there is no third power to intervene betwixt them. They must and will decide the dispute of themselves. Final success, I would fain hope, must be on the side of justice. I am certain, however, that till the triumph of labour be complete; till productive industry alone be opulent, and till idleness alone be poor; till the admirable maxim, "that he who sows shall reap," be solidly established; till the right of property shall be founded on principles of justice, and not on those of slavery; till man shall be held more in honour than the clod he treads on, or the machine he guides—there cannot, and there ought not to be either peace on earth or good-will amongst men.

I do not mean to point out all the consequences which result from this view of capital; but there is one, so important in a theoretical point of view, and so well calculated to relieve the wise system of the universe from the opprobrium which has been cast upon it in these latter times, that I cannot wholly pass it by. An elaborate theory has been constructed, to show that there is a natural tendency in population to increase faster than capital, or than the means of employing labour. If my view of capital be correct, this, as a theory of nature, falls at once baseless to the ground. That the capitalist can control the existence and number of labourers, that the whole number of the population depends altogether on him, I will not deny. But, put the capitalist, the oppressive middle man, who eats up the produce of labour, and prevents the labourer from knowing on what natural laws his existence and happiness depend, out of view,—put aside those social regulations by which they who produce all are allowed to own little or nothing—and it is plain that *capital*, or the *power to employ labour*, and *co-existing labour*, are *one*; and, that *productive capital*



and *skilled labour* are also *one* ; consequently capital and a labouring population are precisely synonymous.

In the system of nature, mouths are united with hands and with intelligence ; they, and not capital, are the agents of production ; and, according to her rule, however it may have been thwarted by the pretended wisdom of lawmakers, wherever there is a man, there also are the means of creating or producing him subsistence. If also, as I say, circulating capital is only co-existing labour, and fixed capital only skilled labour, it must be plain, that all those numerous advantages, those benefits to civilization, those vast improvements in the condition of the human race, which have been in general attributed to capital, are caused in fact by labour, and by knowledge and skill informing and directing labour. Should it be said, then, as perhaps it may, that unless there be profit, and unless there be interest, there will be no motives for accumulation and improvement ; I answer, that this is a false view, and arises from attributing to capital and saving those effects which result from labour ; and, that the best means of securing the progressive improvement, both of individuals and of nations, is to do justice. and allow labour to possess and enjoy the whole of its produce.\*—*Anon.*

We may distinguish three classes of circumstances under which the effects of an accumulation of capital will be very different. *First*, if it be made and used by the same persons ; *second*, if it be made and used by different classes of persons, who share between them, in just proportion, the produce of combined labour ; *third*, if it be owned by a class of persons, who neither make nor use it.

*First*, if the instruments, tools, dye-stuffs, &c. intended to promote production, be made and used by one and the same individual, we are bound to suppose that he finds these labours advantageous, or he would not perform them : and that every accumulation in his possession of the instruments he makes and uses, facilitates his labour. The limit to such an accumulation is plainly the power of the labourer to make and use the instruments in question. In the same manner, the quantity of national capital is always

\* This article is abridged from a little work, entitled, "Labour Defended." 12mo.

limited by the power of the labourers to make and use it with advantage. When capital, therefore, is made and used by the same persons; when all they produce belongs to themselves, too much cannot be said in its favour.

*Second*, capital may be made by one labourer and used by another, and both may divide the commodity obtained by the labour of making and of using the capital between them, in proportion as each has contributed by his labour to produce it. He who makes the capital finds this employment productive to him, or he would not continue it; and he who uses the capital finds that it assists his labour, or he would give nothing for it. Under these circumstances the accumulation and employment of capital is advantageous.

I should rather express this fact, however, by saying, that a part of the society employed in making instruments, while another part uses them, is a branch of division of labour which aids productive power, and adds to the general wealth. As long as the produce of the two labourers,—and speaking of society, of the two classes of labourers,—be divided between them, the accumulation or increase of such instruments as they can make and use, is as beneficial as if they were made and used by one person.

*Third*, one labourer may produce or make the instruments which another uses to assist production not mutually to share in just proportions the produce of their co-operating labour, but for the profit of a third party. The capitalist being the mere *owner* of the instruments, is not, as such, a labourer. He, in no manner, assists production. He acquires possession of the produce of one labourer, which he makes over to another, either for a time,—as in the case with most kinds of fixed capital, or for ever, as is the case with wages, whenever he thinks it can be used or consumed for *his* advantage. He never does allow the produce of one labourer, when it comes into his possession, to be either used or consumed by another, unless it is for his benefit. He employs or lends his property to share the produce, or natural revenue of labourers; and every accumulation of such property in his hands, is a mere extension of his power over the produce of labour, and retards the progress, of national wealth. In this, which is at present the case, the labourers must share their produce with unproductive

idlers, and to that extent less of the annual produce is employed in reproduction.

If there were only the makers and users of capital, to share between them the produce of their co-operating labour, the only limit to productive labour would be, that it should obtain for them and their families a comfortable subsistence. But when, in addition to this, which they must have whether they be the owners of the capital or not, they must also produce as much more as satisfies the capitalist; this limit is much sooner reached. When the capitalist, being the owner of all the produce, will allow labourers neither to make nor use instruments unless he obtains a profit over and above the subsistence of the labourer, it is plain that bounds are set to productive labour, much within what Nature prescribes. In proportion as capital in the hands of a third party is accumulated, so the whole amount of profit required by the capitalist increases; and so there arises an artificial check to production and population. The impossibility of the labourer producing all which the capitalist requires prevents numberless operations, such as draining marshes, and clearing and cultivating waste lands; to do which would amply repay the labourer by providing him with the means of subsistence, though they will not, in addition, give a large profit to the capitalist. In the present state of society the labourers being in no case the owners of capital, every accumulation of it adds to the amount of profit demanded from them, and extinguishes all that labour which would only procure the labourer his comfortable subsistence. More than this, however, he adds not want; and thus, accumulation of capital in the present state of society checks production, and consequently checks the progress of population, the division of labour, the increase of knowledge, and of national wealth.—*A Labourer.*

## CHAPTER III.

### THE INSTRUMENT OF EXCHANGE.

#### SECTION I.

##### THE ORIGIN AND USE OF MONEY.

THE term *money*, may, in its most comprehensive sense, be applied to any thing that is employed as an instrument of exchange, or barter. The following remarks will make this intelligible to all. In the earliest stage of society, after the division of labour had been begun, exchanges might possibly be confined to cases in which each of the parties desired to consume, or to appropriate to his own immediate use, the commodity he was to receive. For instance, one man would have an excess of a bushel of wheat, over what he wanted for the consumption of himself and family; but he wanted a table or some other piece of household furniture, which neither himself nor any one in his family could put together. Under these circumstances, he would look round in the little community, for some one who devoted his time to the manufacture of such an article as that we have supposed him to want; and having found him, the two parties would mutually benefit each other, by making an exchange of wheat for a piece of household furniture. The carpenter wanted the wheat, and the agriculturist wanted the piece of household furniture, and the exchange therefore satisfied the wants of both. And what we have supposed to be done in this case would be done in numberless other cases. Wherever one person had an excess of any commodity, he would exchange it with some other person who wanted it, for another commodity of which he himself stood in need. This is exchange or barter.

But as the society in which we have supposed this mode of exchange to be carried on, extended its limits, and the wants of its members became multiplied and diversified, great inconveniencies would be found attendant upon these transactions. For instance, one man having a



surplus quantity of corn, might be compelled to carry it to a great distance, in order to effect an exchange for such commodities as he wanted in its stead. And this might be the case even an immediate neighbour should possess a surplus quantity of those very commodities; because his readiness to exchange would, of course, depend upon his wanting corn. If he wanted wool, and not corn, it is plain he would keep his surplus commodities till he met with some one, who, wanting them, could give in exchange the material he himself wanted; namely, wool; and when he had found him, both the commodities to be exchanged might have to be transported to a great distance, at considerable expense and inconvenience to the parties.

Under these circumstances, it would not fail to suggest itself to the barterers, that their business would be greatly facilitated by the adoption of some instrument of exchange; that is, some material which, by general consent, should represent the value of the several articles to be exchanged. Having made this discovery, they would not be long in making another; namely, that any thing which possessed a general and undoubted value in the eyes of those who wanted to consume it, was a good and desirable payment, if offered at a proper rate; on the ground, that though the receiver did not want to consume it himself, the person could never be far off who would be willing to obtain possession of it, by giving something which he did want to consume, in return. This substance, whatever it might be, would properly be denominated the instrument of exchange, and would introduce a decided improvement upon the former method. Still, however, inconveniencies would exist, until some very portable material came to be adopted as the instrument of exchange.

At length, metals were almost universally introduced, as the instruments of exchange; first the baser, or more common sorts; and subsequently, the finer, or more precious kinds;—first, rude pieces of metal, the conventional or agreed value of which was ascertained by weighing them; and subsequently, coins, the value of which was authenticated by the external appearance. Such coins are properly called *money*, and it is of these that we uniformly speak when we employ this term.

Now, our proposition with regard to money is, that it is

a mere instrument of exchange; a mere representative of wealth; and in itself, altogether destitute of intrinsic value. Let us examine this a little.

The term wealth, or riches, comprises every thing necessary to human comfort and enjoyment; every thing essential to the most exalted and felicitous existence of society. But such is not the case with money. Human beings might live in the highest state of physical and mental enjoyment, without having any idea of the existence of silver or gold; and the fruits of the earth, and the products of human industry, might continue to be gathered and extended, almost to infinity, even though both these substances should be annihilated to-morrow. This truth has been put in a very clear and convincing light, by "a fellow labourer," whose happy illustration I shall borrow.

"Let us suppose a man to be placed on some barren or desolate island, whose communication with the great world is entirely cut off, having no access whatever to the proceeds of any labour but his own. We will suppose him to be surrounded on all sides by heaps of gold and silver, cut up, if you please, into every description of coin. Could this individual, while in such a situation, with the least degree of reason or common sense, be called wealthy? He could neither eat these representatives of wealth, nor drink them, nor clothe himself with them, nor inhabit them; he must therefore remain, for any thing these could supply him with, poor, destitute, hungry, and naked!

"Let us suppose the same individual to be placed on some other island, equally isolated, and cut off from all external communication, but with the entire absence of all precious metals, and in their stead, possessing in fertility and abundance all other useful mineral, vegetable, and animal productions of the earth. Here, it is evident, he would be able to save himself from hunger, nakedness, and destitution, through the labour of his own hands, in gathering the fruits, entrapping and killing animals, collecting and preparing the raw materials scattered around in every direction, and in appropriating all these to his own use, by way of food, clothing, and habitation. These are the things that would constitute his wealth; not, indeed, before he had bestowed his labour upon them, for without the trouble and labour of gathering, arranging, preparing, and appropriating these "natural productions" to his own

use and convenience, he would be as miserable and destitute in the midst of nature's abundance on the fruitful island, as he could be on a barren rock. It is not gold or silver, then, nor the natural productions of the earth of themselves, that constitute wealth, but the labour of men's hands, in collecting, arranging, preparing and making them in every respect ready to be immediately appropriated to the necessities and convenience of man."\*

This puts the case in a very clear and forcible manner, and will render plain, to every understanding, the difference between *money* and *wealth*. It is quite true, that money universally commands wealth, or is capable of bringing it into the possession of those who have this all-powerful instrument. But how does it effect this? Why, by the possessors of money inducing the labourers, who produce every description of wealth, to give their labour in exchange for the money. And why do the labourers consent to do this? Why do they consent to give the substance for the shadow—the reality for its representative? Solely and exclusively because they have never yet perceived the difference between the two. Had they done so, they never would have been persuaded to spend their lives, from generation to generation, in one round of toil, with scarcely an intermission, heaping up immense piles of wealth for others, while they themselves were left in a state of comparative destitution.

And now, we think we hear some of our readers expressing their admiration, that we should have wasted so much of our time and space in arguing a matter which every dunce previously well understood. The difference between money and real wealth is so obvious, it will be said, that no one could entertain a doubt of it, provided he were only capable of distinguishing "great A from a bull's foot." We will care nothing for such taunts as these, however, provided we shall be found to have made the truth upon which we have been reasoning so plain as to call them forth. That it is lamentably misunderstood, the past and present condition of the working classes, almost universally, to which we have above referred, furnishes incontestable proof.

But we anticipate another class of readers, who, without

\* An Address to the Members of Trade Societies, by a Fellow Labourer, p. 4.

objecting to the doctrine we have laid down, or thinking our reasoning upon it superfluous, will be disposed to question its practical utility, as a principle in social economy. We might at once silence such objectors, by remarking, that in a practical science every principle must be of practical utility. That the doctrine of the value of money is of immense practical utility and importance, in the study of social economy, we hope to render more manifest as we proceed. A suggestion or two is all we have space for here.

1. In the first place, it is of importance, as furnishing the means for a proper estimate of the comparative value of the working and non-working classes of society. We are too apt to estimate a man's worth by the quantity of money he possesses, rather than by the quantity of labour he expends in any of the various departments of production. Nothing, however, can be more erroneous or mischievous. The possessor of a million of money cannot multiply it or enrich society, even to the amount of one farthing, unless it be by inducing a labourer to exchange his labour, or the produce of his labour, for gold or silver, and that at a lower rate than its real productive value. But in this case, the addition made to the rich man's wealth and the nation's stock, has come out of the labour, and not out of the gold or silver. Besides, whence came the gold and silver of which the money is composed? First, they were themselves obtained by labour in foreign countries; then, they were procured from those countries in exchange for the production of labour here; and lastly, they were wrought up into their present form by the outlay of additional labour on the rude metal.

2. In the next place, a knowledge of the difference between money and wealth is of importance, as suggesting to the working classes the momentous fact, that they have the destinies of society in their own hands. Nothing can be plainer than this; and it is equally consolatory. The mismanagement to which society has been so long subjected, threatens on all hands the most tremendous consequences, and our statesmen and legislators, whenever invited or urged to grapple with the difficulties, and suppress some of the most formidable evils, fold their hands together, and declare that they arise from causes over which they have no control! Nothing therefore remains, they



suggest, but to sit quietly till starvation has cleared away the "superabundant population," when we shall again become buoyant, and proceed on our course, until we again arrive at the same point; as we inevitably must, if the like causes are permitted to continue in operation. It is in the power of the labouring classes, however, to save us from the recurrence of these horrible calamities. They want only *knowledge* and *intelligence* to direct that power, and then the world will bless them as its saviour! Do they doubt it? We will ask them one question. Suppose that all the money in the kingdom were removed to-morrow—were swallowed up in the sea—would that dry up the resources of the country, or put an end to the creation of wealth? Put the question in this way to a man, and he at once sees the absurdity of the supposition; but it is, nevertheless, the notion blindly entertained by men generally. Seeing that the productive powers of society are always put in motion (under the existing state of things) by *money*, they have erroneously concluded that *money* is the true and only power of production; and all their views, therefore, and all their ideas of advantage to society, have reference and are confined to the accumulation of money. This notion is the gangrene that is destroying us; and yet its malignity is so apparent, upon the slightest inspection, that it is astonishing it should be permitted for an hour longer to distress us.

3. To conclude: the mere possessors of money are as about one to twenty-four, compared with the productive classes. Now, to put the capabilities of *their* wealth to the test, we would make the following bargain: let the land of the country be divided into twenty-four parts; let them take one twenty-fourth, and give us twenty-three twenty-fourths. They may do as they please with their money; we as we please with our labour. We would cultivate the soil, erect buildings, raise and employ machinery, and put in motion the various productive powers that our skill and industry could invent. We would co-operate together in the production of wealth, and having obtained it, our object should be—not to heap it in piles, and prevent its consumption—not to devise schemes for luxuriating a few with a superabundance, and leaving many to starve for want; our object should be to promote the *mutual enjoyment* of what had been produced by *mutual labour*, relying

upon the inexhaustible store which the *Common Parent* of all had created for the common good of all.—*Carpenter*.

Money exists generally in the form of gold, silver, or paper. It is evident that neither of these can of itself supply any of the wants of man : it is only from their conventional power over the commodities of life, that they can ever be of value. Men do not love gold for its own sake, but on account of the command it gives them over the commodities of life. Gold is never useful before it has been spent, or before the possessor has given it in exchange for a necessary or luxury. In all countries where the money system prevails, it is manifest that every man can apply to his own use a quantity of the necessities and luxuries of life, proportional to the quantity of money he can spend. For instance, a man with an income of 30*l.* a-year can apply to his own use the tenth part only of the necessities and luxuries which a man of 300*l.* a-year can apply to his use. We shall obtain a correct notion of the operation of money, if we suppose all the effects of labour, all the necessities and luxuries of life, consisting of food, clothing, lodging, fine clothes, and furniture, domestic services, &c. to be collected into one general fund, and that a man draws out of this fund a quantity of commodities proportional to his income. But these incomes are dispensed after a very extraordinary fashion ; for the general law is, that the man who contributes least to the production of necessities and luxuries, enjoys the largest income, whilst the man who contributes most to the common general fund has the smallest income.

The distribution of these incomes is founded on the institution of private property. The command over the whole national stock of necessities and luxuries is vested in a few individuals by the rights of property. If these individuals, whom we will call the rich, had always managed their own property, it is probable the money system would never have been invented : for in this case the population would consist only of two classes, rich and poor, or masters and labourers ; and it evidently would be less troublesome to the masters to pay their labourers directly in necessities, than to establish a common fund of necessities and luxuries, and give their labourers so many counters, or so much money, as would exchange for the bare necessities of life. In fact, if the population consist of these two classes only, what is usually called slavery will exist.

But in all countries where the money system prevails, the people are divided into three classes; viz. the rich, the labourers, and the managers of the property of the rich and of the labour of the poor, which managers are generally themselves possessed of property: in other words, such a people may be considered as consisting of three classes,—rich, labourers, and traders. The national stock of necessities and luxuries is committed to the care of the class of traders, who distribute these commodities, by means of certain counters called money. The rule observed by the traders in the distribution of these counters is this: first to give to the labourers who produce these necessities and luxuries, in exchange for their unceasing labour, so many counters as represent their bare necessities of life; and then to divide the remainder among themselves and the rich, by giving to the rich man a number of counters proportional to his property, and by giving to each trader a number of counters proportional to the value of the stock under his management. It will thus frequently happen that whilst the labourer gets only one counter, the trader and the rich man are receiving twelve counters each, and consequently applying to their use twelve times as much of the necessities and luxuries of life.

The difference between the conditions of a slave and a labourer under the money system, is very inconsiderable. The motive which impels a free-man to labour is much more violent than the motive impelling a slave: a free-man has to choose between hard labour and starvation for himself and family; a slave has to choose between hard labour and a good whipping: which of these two motives is the most cogent no man can doubt. The master of a slave understands too well his own interest to weaken his slaves by stinting them in their food; but the master of a free-man gives him as little food as possible, because the injury done to the labourer does not fall on himself alone, but on the whole class of masters. There are some respects in which the condition of a free labourer is superior to that of a slave. A free labourer has generally the liberty of changing his master: this liberty distinguishes a slave from a free labourer, as much as an English man-of-war sailor is distinguished from a merchant sailor. Another liberty enjoyed by the free-labourer is,—that of spending his money on what kind of necessities he pleases: he also enjoys the liberty of depriving himself and family of necessities in

order to provide himself with a few luxuries. The condition of a labourer is superior to that of a slave, because the labourer thinks himself free; and this opinion, however erroneous, has no small influence on the character and on the happiness of a population.—*Edmonds.*

The legitimate use of money is precisely the same as that of scales, and weights, and measures: it is to measure out and apportion exchanges, to facilitate the giving and obtaining of equivalents: money, therefore, as a necessary of life of the most ordinary and every day description, ought to be as cheap, as common, and as attainable, by those who have any thing that they wish to exchange, as a pair of scales, or a pound weight.

Gold coin is totally unfit for this purpose, because it is ever used upon the principle of being itself equal in value to that which it represents; and as in, at least, ninety-nine cases out of every hundred, the thing it represents is capable of being far more easily increased than gold, every increase of other produce habitually takes place at the imminent risk of being sold at a reduced money-price; that is, at a loss, instead of at a profit; and thus production is constantly checked and retarded by the fear that is ever present in the manufacturer's mind of producing too much. It is the quantity that can be *sold at a profit*, not the quantity that can be *made*, that is the present limit to production.

Bank notes are subject to precisely the same objection as gold, for they are uniformly issued upon securities, which are always, in the aggregate, of more value than the money advanced upon them. Thus, there is a constant deficiency of money, a never-failing facility of obtaining whatever we require for money, and a never-failing difficulty in obtaining money for other things. In short, money, as it is at present used, is merely a commodity, the price of which rises and falls, like every other commodity, in proportion as the demand for it is great or small.

When other marketable produce is increasing; that is, when it is produced more rapidly than it is consumed, the demand for money is, in the aggregate, also increasing; but as there is no habitual tendency in money to increase as fast as other produce, an increased quantity of whatever is given in exchange for money, would be constantly demanded for it, if manufacturers were to give full scope to their respective powers of production. Hence arises a



powerful check upon production ; the fear of producing too much ; the fear lest the article should fetch *less money* than it cost. The manufacturer must see a market for his goods before he makes them, or, at all events, if he have an abundant stock on hand, he will not continue to add to it faster than his customers take from it. It is of no use for the operatives to say to him, " We are industrious, and will work ; you have the capital wherewith to employ us ; our wants are not supplied." All this must be mere folly to the man of business, whose capital, like a hand at cards, must be played with a sort of hocus-pocus dexterity to win the stake, to carry off the prize.

Great care must always be taken, that goods be not made so freely, as to lower themselves in money price ; because the undertaker would, in that case, lose by his adventure, his object being to gain by it. The man who manufactures goods, does not coin guineas at the same moment : there is no relative increase between the newly-created wealth, and its representative money ; and thus a pound note, like a member of parliament, whose constituents are increased in number, becomes of greater relative importance. The value of an individual vote is lessened in the one case, and the value of an individual piece of goods in the other.

Again, as there is no tendency in money habitually and systematically to increase as other produce increases, so also is there no habitual tendency in it to decrease as other produce is consumed. The shilling which buys a loaf of bread, exists in circulation alike before the bread is made, and after it is eaten. Thus, the value of money is continually liable to change ; and if weights and measures were subject to the same kind of variation, greater confusion and mischief would not be the result.

The great desideratum in money is, that it may enable any man, at any time, to exchange any article, of any value, for an equal value of whatever marketable commodity he pleases to have in its stead, with the least possible expense of time, of labour, and of anxiety.

Does any description of money now in circulation come up to this standard of excellence ? If, for example, a man build a house, grow corn, or manufacture goods, can he certainly and immediately exchange the house, the corn, the goods, for their value in money ; that value, being a

fair remuneration for the trouble of superintendence, and for the use of the capital employed, added to the cost of labour and material in producing them? The universal answer to this question, if the truth be told, is NO.

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Money should be merely a *receipt*, an evidence that the holder of it has either contributed a certain value to the national stock of wealth, or that he has acquired a right to the said value, from some one who has contributed it. The use of the receipt should be, to enable the holder of it to re-obtain the value that was given for it, whenever he pleases, and in whatever shape he may require. But money should not be intrinsically valuable, and there is no more necessity for its being so, than there is for a man who has a store-room full of valuables, that he wishes to dispose of, to carry golden certificates in his pocket, to prove to others that the goods are really there. An authenticated inventory would answer his purpose quite as well; and money should be nothing more or less than portable, transferable, divisible, and inimitable evidences of the existence of wealth in store.

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Money should mean this, and nothing more than this:— You have contributed money to the national stock of wealth; I am the evidence that it has been received from you; and by me shall you be enabled to receive it back again, in whatever shape you please. There is no description of money now existing which at all corresponds with this character;—its first, its most essential, its most valuable quality, being *intrinsic inutility*. We have a thing called money; consisting either of certain commodities which are generally used for the purpose of effecting exchanges, or of floating securities issued by bankers, which are passed from hand to hand in the same way; but these deserve to be called rather substitutes for money than money itself. Wealth, like a thousand streams of water arising in different places, and partaking of different qualities, should all flow into one grand reservoir, and being there mixed up, and its various qualities amalgamated, it should be restored to its producers in quantities equal to those contributed by each, but partaking of the qualities of the whole, and money should be merely a measure to be used for the

purpose of giving to every man as much as is received from him.—*Gray.*

The genuine principle of barter was, to exchange the supposed prime cost of, or value of labour, in one article, against the prime cost of, or amount of labour, contained in any other article. This is the only equitable principle of exchange; but as inventions increased, and human desires multiplied, it was found inconvenient in practice. Barter was succeeded by commerce, the principle of which is, to produce or procure every article at the *lowest*, and to obtain for it in exchange the *highest* amount of labour. To effect this, an artificial standard of value was necessary; and metals were, by common consent among nations, permitted to perform the office. This principle, in the progress of its operation, has been productive of important advantages, and of very great evils; but, like barter, it has been suited to a certain stage of society. It has stimulated invention; it has given industry and talent to the human character, and secured the future exertion of those energies which otherwise might have remained dormant and unknown. But it has made man ignorantly, individually selfish; placed him in opposition to his fellows; engendered fraud and deceit; blindly urged him forward to create, but deprived him of the wisdom to enjoy. In striving to take advantage of others, he has overreached himself. The strong hand of necessity will now force him into the path which conducts to that wisdom in which he has been so long deficient. He will discover the advantages to be derived from uniting in practice the best parts of the principles of barter and commerce, and dismissing those which experience has proved to be inconvenient and injurious. This substantial improvement in the progress of society may be easily effected, by exchanging all articles with each other at their prime cost, or with reference to the amount of labour in each, which can be equitably ascertained, and by permitting the exchange to be made through a convenient medium, to represent this value, and which will thus represent a real and unchanging value, and be issued only as substantial wealth increases..... Depressed as the value of labour now is, there is no proposition in Euclid more true, than that society would be immediately benefited, in a great variety of ways, to an incalculable extent, by making labour the standard of value.

By this expedient, all the markets in the world, which are now virtually closed against offering a profit to the producers of wealth, would be opened to an unlimited extent; and in each individual exchange, all the parties interested would be sure to receive ample remuneration for their labour.—*Owen*.

That a change in the currency must be made, all men of sound practical knowledge are certain, but this change should not be effected until the science of the creation and circulation of wealth shall be known, for the next change ought to be final. I trust, however, that the time for making this change is not far distant, and, to hasten its arrival, I will endeavour to explain what are the qualities which a standard of value and a currency ought to possess. A sound currency should possess capacity of being increased precisely as wealth increases, of being diminished precisely as wealth is diminished, and of being unchangeable in its value. Now gold and silver do not possess one of these essential properties of a standard of value or of a circulating medium. Gold and silver are hourly changing in value, and they cannot be increased or diminished as wealth is created or consumed. In consequence of these defects in the standard of value and currency, Great Britain has lost and is losing property to an extent that it would be imprudent now to state. The next best standard of value to that which would represent the amount of real value in every article, is *its cost*, and in a well-ordered state of society the cost would be invariably its value in exchange, and in consequence articles of intrinsic value only would be produced, until society should be fully supplied with them, when afterwards, for amusement, articles without intrinsic value might, perhaps, be produced and manufactured. As soon as the science of society shall be known, a standard of value, and a circulating medium possessing the requisites which have been stated, may be easily introduced to supersede the present standard and currency, both of which are now unfit for the purposes required by society.—*Idem*.

From this detail we may learn the impolicy of a state seeking to obtain wealth by the acquisition of the precious metals. In themselves they are of no value, but ebb and flow with the scarcity or abundance of products, by which alone their relative value is estimated. While wealth,



which results from industry and commerce, flows in gradually, feeds and nourishes it, and calls it forth into vigorous and well-conducted exertions; but when opulence pours in suddenly, and with too full a stream, it overturns all sober plans of industry, and brings along with it a taste for what is wild, and extravagant, and daring, in business or in action. States, therefore, that seek prosperity and wealth, should expect them from trade and commerce, instead of money. Even a barter trade would be found more beneficial than a return of gold and silver, whose value is diminished by their augmentation. To many, a payment for goods in gold and silver would be thought preferable to commodities. The Spaniards thought so, and yet became the most beggarly country in Europe. But if, instead of the price being received in the precious metals, the merchant be paid in cambric, muslin, hemp, or flax, which will exchange for more in value than the precious metals, he and the country too would be gainers. If Spain had done so, and prohibited the working of the mines, instead of importing their productions, Philip III. might have given law to Europe more effectually than his predecessor Charles. And if Rome, instead of imposing tributes on the vanquished states, had entered into commercial treaties, she would, in all probability, have flourished to this day.

Let nations then lay the foundation of their wealth in the extension and improvement of their commerce, instead of the acquisition of gold and silver. Let them imitate Florence and Holland, rather than Rome and Spain. Let wealth be obtained through the channels of commerce, instead of lotteries, loans, or the funding system, which enrich a parcel of drones, instead of productive labourers. Annuities, pensions, primogeniture, and the like, are all repugnant to good policy and sound political economy.—*Putt.*

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## SECTION II.

### PAPER CURRENCY.

ONE of the evils of paper-money is, that it turns the whole country into stock-jobbers. The precariousness of

its value and the uncertainty of its fate continually operate, night and day, to produce this destructive effect. Having no real value in itself, it depends for support upon accident, caprice, and party; and as it is the interest of some to depreciate, and of others to raise its value, there is a continual invention going on that destroys the morals of the country..... There are a set of men who go about making purchases upon credit, and buying estates they have not wherewithal to pay for; and having done this, their next step is to fill the newspapers with paragraphs of the scarcity of money and the necessity of a paper-emission, than to have it made a legal tender under the pretence of supporting its credit; and when out, to depreciate it as fast as they can, get a deal of it for a little price, and cheat their creditors; and this is the concise history of paper-money schemes.

But why, since the universal custom of the world has established money as the most convenient medium of traffic and commerce, should paper be set up in preference to gold and silver? The productions of nature are surely as innocent as those of art; and in the case of money, are abundantly, if not infinitely, more so. The love of gold and silver may produce covetousness; but covetousness, when not connected with dishonesty, is not properly a vice. It is frugality run to an extreme.

But the evils of paper-money have no end. Its uncertain and fluctuating value is continually awakening or creating new schemes of deceit. Every principle of justice is put to the rack, and the bond of society dissolved: the suppression, therefore, of paper-money, might very properly have been put into the act for preventing vice and immorality.

The pretence for paper-money has been, that there was not a sufficiency of gold and silver. This, so far from being a reason for paper-emissions, is a reason against them. Gold and silver are articles of importation; and if we set up a paper-manufactory of money, it amounts, as far as it is able, to prevent the importation of hard money, or to send it out again as fast as it comes in; and by following this practice we shall continually banish the specie, till we have none left, and be continually complaining of the grievance instead of remedying the cause. Considering gold and silver as articles of importation, there will in time,

unless we prevent it by paper-emission, be as much in the country as the occasion of it require, for the same reasons there are as much of other imported articles. But as every yard of cloth manufactured in the country occasions a yard the less to be imported; so it is by money, with the difference, that in the one case we manufacture the thing itself, and in the other we do not. We have cloth for cloth, but we have only paper dollars for silver ones.

Of all the various sorts of base coin, paper-money is the basest. It has the least intrinsic value of anything that can be put in the place of gold and silver. A hobnail or a piece of wampum far exceeds it. And there would be more propriety in making those articles a legal tender, than to make paper so.—*Paine*.

Paper-money is like dram-drinking, it relieves for the moment by a deceitful sensation, but gradually diminishes the natural heat, and leaves the body worse than it found it. Were not this the case, and could money be made of paper at pleasure, every sovereign in Europe would be as rich as he pleased. But the truth is, that it is a bubble, and the attempt vanity. Nature has provided the proper materials for money, gold and silver, and any attempt of ours to rival her is ridiculous.—*Idem*.

Paper-money appears, at first sight, to be a great saving, or rather, that it costs nothing; but it is the dearest money there is. The ease with which it is emitted by any assembly at first, serves as a trap to catch the people in at last. It operates as an anticipation of the next year's taxes. If the money depreciates after it is out, it then, as I have already remarked, has the effect of fluctuating stock, and the people become stock-jobbers to throw the loss on each other. If it does not depreciate, it is then to be sunk by taxes at the price of *hard money*; because the same quantity of produce, or goods, that would procure a paper dollar to pay taxes with, would procure a silver one for the same purpose. Therefore, in any case of paper-money it is dearer to the country than hard money, by all the expense which the paper, printing, signing, and other attendant charges come to, and at last goes into the fire.

Suppose one hundred thousand dollars in paper-money to be emitted every year by the assembly, and the same sum to be sunk every year by taxes, there will then be no more than one hundred thousand dollars out at any one

time. If the expense of paper and printing, and of persons to attend the press while the sheets are striking off, signers, &c., be five per cent., it is evident, that in the course of twenty years' emissions, the one hundred thousand dollars will cost the country two hundred thousand dollars : because the paper-maker's and printer's bills, and the expense of supervisors and signers, and other attendant charges, will in that time amount to as much as the money amounts to ; for the successive emissions are but a recoinage of the same sum. But gold and silver require to be coined but once, and will last a hundred years, better than paper will one year, and at the end of that time be still gold and silver. Therefore the saving to government in combining its aid and security with that of the Bank in procuring hard money, will be an advantage to both, and to the whole community.—*Idem*.

Bank paper is no more national wealth than newspapers are ; because an increase of promissory notes, the capital remaining unincreasing in the same proportion, is no increase of wealth. It serves to raise false ideas which the judicious soon discover, and the ignorant experience to their cost.—*Idem*.

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## CHAPTER IV.

### OF THE FUNDING SYSTEM.

ALTHOUGH the feudal system was a barbarous social institution, it possessed the advantage of entailing on the fomenters of war its unavoidable cost and calamities. The old barons used to arm themselves and vassals at their own expense, and support them during the contest. There was then no standing army nor permanent revenue,—those who tilled the land fought the battles of the country. Under such a system, wars could neither be very long in their duration, nor very remote in their objects. Foreign expeditions were suited as little to the national resources as to the avocations of the people. The only time that could be spared to settle public quarrels was between seed-time and harvest, and the only treasure they could be provided



with beforehand, was the surplus produce of the preceding year. Hence, wars were generally either carried on languidly, or were of short duration. Their operations were frequently interrupted by truces, and sometimes discontinued through mere feebleness. A warlike leader was often stopped short in his victorious career, either from the want of resources, or the necessity of allowing his followers to return home to provide subsistence for the following season.

The state of the sovereign was as little favourable to protracted contests as the condition of his lieges. His revenue was derived partly from lands reserved as a royal demesne, and partly from feudal casualties, and afforded a slender provision for maintaining the royal dignity, and defraying the ordinary expenses of government, but was altogether inadequate to the support of numerous and permanent armies. Supplies from the people were obtained to a certain extent; but the people neither possessed the means, nor, happily, had acquired the habit, of granting liberal supplies. Princes, under any emergency, real or supposed, or actuated by any scheme of ambition, had recourse either to borrowing or *pawning*. The loans which they raised were partly compulsory, and, as the payment was ill secured, the rate of interest was high. Sometimes the jewels of the crown were pledged, and sometimes the crown-lands were mortgaged. In this manner the revenues of most of the powers of Europe were anticipated and encumbered.

A new state of society introduced a new mode of supporting war. Instead of borrowing on their *own credit*, sovereigns learnt to borrow on the credit of *posterity*. The issue of war no longer depended on a single battle or successful irruption, but on the length of the public purse. It was not money, however, that formed the sinews of war, but *credit*. Credit superseded money, and modern policy found out the expedient of supporting wars for temporary objects, and entailing the burden of them on future generations. This system possessed too many facilities to be abandoned, or not to be carried to the utmost extent of which it was capable. And, accordingly, we find, wherever the system of borrowing and funding has been introduced, it has gone on with an accelerated velocity, till the payment of the princi-

pal became quite chimerical, and government were obliged to compound with their creditors for the interest.—*Black Book*.

Alas! the funds are no place at all! and, indeed, how should they, seeing that they are, in fact, one and the same thing with the National Debt? But, to remove, from the mind of every creature all doubt upon this point, to dissipate the mists in which we have so long been wandering, to the infinite amusement of those who invented these terms, let us take a plain common-sense view of these loaning transactions. Let us suppose, then, that the government wants a loan, that is, wants to borrow money, to the amount of a million of pounds. It gives out its wishes to this effect, and, after the usual ceremony upon such occasions, the loan is made, that is, the money is lent by Messrs. Muckworm and Company. We shall see by-and-by, when we come to talk more fully upon the subject of loans, what sort of a way it is, in which Muckworm pays in the money so lent, and in what sort of money it is that he pays. But, for the sake of simplicity in our illustration, we will suppose him to pay in real good money, and to pay the whole million himself at once. Well: what does Muckworm get in return? Why, his name is written in a book: against his name is written, that he is entitled to receive interest for a million of money; which book is kept at the Bank Company's house, or shop, in Threadneedle Street, London. And, thus it is that Muckworm "puts a million of money into 'the funds.'" "Well," you will say, "but what becomes of the money?" Why, the government expends it, to be sure: what should become of it? Very few people borrow money for the purpose of locking it up in their drawers or chests. "What? then the money all vanishes; and nothing remains in lieu of it but the lender's name written in a book?" Even so: and this, my good neighbours, is the way that "money is put into the funds."

But, the most interesting part of the transaction remains to be described. Muckworm, who is as wise as he is rich, takes special care not to be fund-holder himself; and, as is always the case, he loses no time in selling his stock, that is to say, his right to receive the interest of the million of pounds. These funds, or stock, as we have seen, have no bodily existence, either in the shape of money or of

bonds or of certificates or of any thing else that can be seen or touched. They have a being merely in name. They mean, in fact, a right to receive interest; and a man who is said to possess, or to have a thousand pounds' worth of stock, possesses, in reality, nothing but the right of receiving the interest of a thousand pounds. When, therefore, Muckworm sells his million's worth of stock, he sells the right of receiving the interest upon the million of pounds which he lent to the government. But, the way in which sales of this sort are effected is by parcelling the stock out to little purchasers, every one of whom buys as much as he likes; he has his name written in the book for so much, instead of the name of Muckworm and Company; and, when Muckworm has sold the whole, his name is crossed out, and the names of the persons to whom he has sold remain in the book.

And here it is that the thing comes home to our very bosoms; for, our neighbour farmer Greenhorn, who has all his life being working like a horse, in order to secure his children from the perils of poverty, having first bequeathed his farm to his son, sells the rest of his property (amounting to a couple of thousands of pounds), and, with the real good money, the fruit of his incessant toil and care, purchases two thousand pounds' worth of Muckworm's funds, or stocks, and leaves the said purchase to his daughter. And why does he do so? The reason is, that, as he believes his daughter will always receive the interest of the two thousand pounds, without any of the risk or trouble belonging to the rents of house or land. Thus neighbour Greenhorn is said to have "put two thousand pounds in the funds;" and thus his daughter (poor girl!) is said to "have her money in the funds;" when the plain fact is, that Muckworm's money has been spent by the government, that Muckworm has now the two thousand pounds of poor Grizzle Greenhorn, and that she, in return for it, has her name written in a book, at the Bank Company's house in Threadneedle Street, in London, in consequence of which she is entitled to receive the interest of two thousand pounds; which brings us back to the point whence we started, and explains the whole art and mystery of making loans and funds and stocks and national debts.—*Cobbett's Paper against Gold*, pp. 16—18.

By this means [the funding system] the quantity of pro-

perty in the kingdom is greatly increased in idea, compared with former times : yet, if we coolly examine it, not at all increased in reality. It exists only in name, in paper, in public faith, in parliamentary security : and this is undoubtedly sufficient for the creditors of the public to rely on. But then, what is the pledge which the public faith has pawned for the security of these debts ? The land, the trade, and the personal industry of the subject ; from which the money must arise that supplies the several taxes. In these, therefore, and in these only, the property of the public creditors does really and intrinsically exist : and of course, the land, the trade, and the personal industry of individuals, are diminished in their true value, just so much as they are pledged to answer. If A's income amounts to 100% per annum, and he is so far indebted to B, that he pays him 50% per annum for his interest, one half of the value of A's property is transferred to B, the creditor. The creditor's property consists in the demand which he has upon the debtor, and nowhere else ; and the debtor is only a trustee to his creditor for one half of the value of his income. In short, the property of a creditor of the public consists in a certain portion of national taxes : by how much, therefore, he is the richer, by so much the nation, which pays the taxes, is the poorer.

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Thus much is indisputably certain, that the present magnitude of our national encumbrances very far exceeds all calculations of commercial benefit, and is productive of the greatest inconveniences. For, first, the enormous taxes, that are raised upon the necessities of life, for the payment of the interest of this debt, are a hurt both to trade and manufactures, by raising the price as well of the artificer's subsistence as of the raw material, and of course, in a much greater proportion, the price of the commodity itself. Nay, the very increase of paper circulation itself, when extended beyond what is requisite for commerce or foreign exchange, has a natural tendency to increase the price of provisions, as well as of all other merchandise. For, as its effect is to multiply the cash of the kingdom, and this to such an extent that much must remain unemployed, that cash (which is the universal measure of the respective values of all other commodities) must necessarily sink in its own value, and every thing



grows comparatively dearer. Secondly, if part of this debt be owing to foreigners, either they draw out of the kingdom annually a considerable quantity of specie for the interest; or else it is made an argument to grant them unreasonable privileges, in order to induce them to reside here. Thirdly, if the whole be owing to subjects only, it is then charging the active and industrious subject, who pays his share of the taxes, to maintain the indolent and idle creditor who receives them. Lastly, and principally, it weakens the internal strength of a state, by anticipating those resources which should be reserved to defend it in case of necessity. The interest we now pay for our debt would be nearly sufficient to maintain any war, that any national motives could require. And if our ancestors in King William's time had annually paid, so long as their exigencies lasted, even a less sum than we now annually raise upon their accounts, they would in time of war have borne no greater burdens than they have bequeathed to and settled upon their posterity in time of peace; and might have been eased the moment the exigence was over.—*Blackstone.*

The funding system is not money; neither is it, properly speaking, credit. It in effect creates upon paper the sum which it appears to borrow, and lays on a tax to keep the imaginary capital alive, by the payment of interest, and sends the annuity to market, to be sold for paper already in circulation. If any credit is given, it is to the disposition of the people to pay the tax, and not to the government which lays it on. When this disposition expires, what is supposed to be the credit of government expires with it. The instance of France, under the former government, shows that it is impossible to compel the payment of taxes by force, when a whole nation is determined to take its stand upon that ground.—*Paine.*

The original design of the funding system, which commenced in the reign of King William, was to give stability to the revolution, by engaging the monied interest to embark on its bottom. It immediately advanced the influence of the crown, which the whigs then exalted as much as possible, as a countervail to the interest of the pretender.—*Robert Hall.*

That the funding system contains within itself the seeds of its own destruction, is as certain as that of the human

body containing within itself the seeds of death. The event is as fixed as fate, unless it can be taken as a proof, that because we are not dead we are not to die.

The consequence of the funding scheme, even if no other event takes place, will be to create two violent parties in the nation ; the one goaded by taxes continually increasing to pay the interest, the other reaping a benefit from the taxes, by receiving the interest.—*Paine*.

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## CHAPTER V.

### OF COMMERCE.

THIS species of industry has its origin in the nature of man, and the circumstances under which he is placed; and its rise is coeval with the formation of society. The varying powers and dispositions of different individuals dispose them to engage in preference in particular occupations ; and every one finds it for his advantage to confine himself wholly or principally to some one employment, and to barter or exchange such portions of his produce as exceed his own demand, for such portions of the peculiar produce of others as he is desirous to obtain, and they are disposed to part with. The division and combination of employments is carried to some extent in the rudest societies, and it is carried to a very great extent in those that are improved. But to whatever extent it may be carried, commerce must be equally advanced. The division of employments could not exist without commerce, nor commerce without the division of employments : they mutually act and react upon each other. Every new subdivision of employments occasions a greater extension of commerce ; and the latter cannot be extended without contributing to the better division and combination of the former.

In rude societies, the business of commerce, or the exchange of commodities, is carried on by those who produce them. Individuals, having more of any article than is required for their own use, endeavour to find out others in want of it, and who at the same time possess something they would like to have. But the difficulties and inconveniences inseparable from a commercial intercourse, carried on in

this way, are so obvious, as hardly to require being pointed out. Were there no merchants or dealers, a farmer, for example, who had a quantity of wheat or wool to dispose of, would be obliged to seek out those who wanted these commodities, and to sell them in such portions as might suit them; and, having done this, he would next be forced to send to, perhaps, twenty different distant places, before he succeeded in supplying himself with the various articles he might wish to buy. His attention would thus be perpetually diverted from the business of his farm; and while the difficulty of exchanging his own produce for that of others would prevent him from acquiring a taste for improved accommodations, it would tempt him to endeavour to supply most that was essential by his own labour, and that of his family; so that the division of employments would be confined within the narrowest limits. The wish to obviate such inconveniences, has given rise to a distinct mercantile class. Without employing themselves in any sort of production, merchants or dealers render the greatest assistance to the producers. They collect and distribute all sorts of commodities; they buy of the farmers and manufacturers the things they have to sell; and bringing together every variety of useful and desirable articles in shops and warehouses, individuals are able, without difficulty or loss of time, to supply themselves with whatever they want. Continuity is in consequence given to all the operations of industry. As every one knows beforehand where he may dispose to the best advantage of all that he has to sell, and obtain all that he wishes to buy, an uninterrupted motion is given to the plough and the loom.—*M'Culloch.*

Commerce is founded on the division of labour. All useful commerce, all commerce occasioning wealth or power, is founded on the reciprocal advantages which attend a division of labour engaged in producing the necessities of life. If every man produced his own food, clothing, and lodging; that is, if there were no division of labour, there could be no commerce. Every man must, at all times, be consuming the three great necessities of life; if a man apply his labour to the production of one of these necessities only, he must exchange part of the produce of his labour for the other two necessities. As the division of labour increases, the number of exchangeable articles increases, and commerce increases.

Before the division of labour every man produced his own food, clothing, and lodging, and the machines or tools he wanted. On the discovery of the properties of iron, it is probable that labour was first divided; the first division of men was probably into these two classes; namely, the producers of the necessaries of life, and the workers in iron, who produced the requisite machines or tools. The first commerce consisted in the interchange of iron machines for necessaries: those who lived near the workers in iron, would give corn in exchange for their iron tools; those who lived at a distance would give clothing in exchange for their iron, in order to save labour in carriage; since the weight of a certain quantity of clothing will not be greater than the tenth part of the weight of a quantity of corn of the same value. When the labour of producing corn and clothing becomes divided, commerce will consist in the interchange of corn, clothing, and machines; every producer of clothing alone, must be continually exchanging part of his produce for food and machines; and every machine-maker must be exchanging part of the effects of his labour, for part of the labour of the corn-grower and clothier. All useful commerce consists, almost wholly, in the interchange of these articles, corn, clothing, and machines. All other commerce produces no more national wealth than does the labour of domestic servants. Since the consumption of tools or machines is not considerable, when compared with the consumption of either corn or clothing, it will be sufficient to consider all useful commerce as consisting in the interchange of corn and plain clothing.

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The commerce between an agricultural and a manufacturing nation, is as mutually advantageous as the commerce in corn and cloth carried on between the inhabitants of a town and the farmers in the neighbourhood. If a free trade in corn and cloth were allowed between England and France, the art of agriculture would improve in France, and the art of making cloth would improve in England; but the art of making cloth would remain nearly stationary in France, and in England the art of agriculture would make slow progress. The mutual benefit which the two countries would derive from such free trade is indisputable, on the supposition, that such free trade is not



subject to interruptions; for every Englishman and Frenchman would then procure the necessaries of life with diminished labour; and, consequently, the wealth or power of both England and France would be increased. When there is a chance of interruption, the policy of allowing a free trade will depend on the decision of these two questions:—Whether the improvement in the agriculture of France would compensate for the check given to the art of making cloth; and whether England's rapid advancement in the art of making cloths would compensate for her slow advancement in agriculture.

No useful commerce can exist between two very distant countries for any great length of time. The improvements made in the arts in one country, by means of the division of labour, and by means of large capitals, may be so great and so rapid, that this country may supply for a time many distant countries with manufactures. But when the arts in this country have nearly reached perfection, the expense of transporting the commodities exchanged will be so great, that very high rewards will be conferred on those who succeed in transferring capital from this country to other countries; these rewards will be so high, that it will be impossible for the rich country to prevent the export of machinery and workmen to other countries. All useful distant commerce is founded on inequality in the knowledge of the useful arts; and it is impossible to prevent this knowledge from diffusing itself. When the knowledge of the arts is equally diffused, nearly all commerce between distant towns will cease, and every country or small territory will be independent of all other countries. At no distant period, England will cease to manufacture for the rest of the world, and every nation will find it most profitable to manufacture for itself.—*Edmonds.*

As it has never been asked how wealth can be the most abundantly and beneficially produced for society, so the question has, in like manner, never been thought of, how the wealth produced by society can be the most advantageously distributed? The simple and natural reply would be, By passing it in the shortest and most economical manner from the producing powers to the consumers. But what is now the actual practice of society? It is, generally speaking, the reverse of this process. Almost every expedient has been devised for the purpose of passing pro-

ductions through many hands, at a great expense of labour and capital, before they reach the consumer; and in these arrangements for the distribution of wealth, the quality of the articles composing it is often greatly injured by the small quantities into which they are divided, and the improper temperatures in which they are kept.

The truth of both these positions will be evident by an inspection of the extravagantly fitted up large retail establishments, formed altogether for show and attraction; and of the numerous miserable, small, inconvenient holes and corners, through which the poorer, among the working classes, are generally supplied; and of the innumerable descriptions of common retail shops, through which the general articles of consumption are usually vended.

Of these shops there are probably much more than fifty for one that would be required, under an arrangement formed on a knowledge of the Science of Society; and the capital and labour of the forty-nine thus wasted, would be sufficient, if they were properly applied, to produce more wealth, of a superior description, than society, when formed into a rational state, would desire to consume.

Under the existing embarrassments of this nation, few occupations can be more puerile, or produce a more inferior character of mind, than the mere distributor of wealth for his own gain. He produces nothing for society,—he acquires no useful knowledge,—his most valuable faculties are dormant or mis-directed, and he acquires the habit of servility, which encourages pride and oppression in his customers, and destroys all independent energy in his own character. This mode of distribution is one of the random measures of society, arising from the individual competitive system. It is a direct waste of manual power, of capital, and of intellectual faculty, to an enormous extent; and it forms a weak, imbecile character, in a large, and what might be made, a valuable portion of the human race. It is one of the most extensive, although it is one of the most useless, of the existing occupations of society. It is probable that one-fifth or one-sixth of the population is directly or indirectly occupied in or for this department. And nothing can show more evidently the loose, random formation of society, than the immense waste of power which has always been made in this department, and which is continually increasing by a useless expenditure in unnecessary

decoration, calculated only to attract and deceive. Much of this metropolis, and of the large cities and towns throughout the kingdom, are composed of wholesale and retail arrangements for distribution, not any part of which would be useful under a scientific or superior organization of society. Productions of all kinds would generally be conveyed from the stores of the producers, to the places where they would be prepared for immediate consumption. They now needlessly pass from place to place, and hand to hand, and in most cases circumstances exist to make it appear to be the interest of distributors to adulterate and deteriorate many of the first necessities of life, by which the health of the consumers is often injured, if not destroyed. These are a few of the many evils which arise in the department of distribution, from the ignorance of all parties, in the British dominions, relative to the Science of Society.—*Owen*.

What is commerce? If I understand it right, it is nothing more than the exchange and distribution of commodities, or articles of wealth: as for example; a shipping merchant ships off to some foreign market a cargo of articles, it matters not what they are, say hats and shoes; he receives in return a cargo of other articles, say sugar and tropical fruits: now, does the merchant, by this commercial act, create any wealth which before did not exist? No; he simply makes an exchange of one article of human labour for another; where then is his "golden girdle?" It consists in this; he levies a tax on each of those articles to the amount of about one-third its value, under the name of *profit*; which of course raises the market value in proportion to the amount of the tax levied. They then pass from him to the wholesale merchant, who levies a similar tax under the same name. Thus advanced in value, they pass into the hands of the retail merchant, whose "golden girdle" has likewise to be obtained upon them before they can pass into the hands of the consumer. Those who have written in support of this class have so far imposed upon great numbers of even the working class, as to make us think that commerce is indeed the "golden girdle" of the *universe*. Here is the delusion. I grant that the system of profit is to them a "golden girdle;" but to the working class, from the products of whose labours these profits are deducted, it is, and will continue to be, as long as it

continues at all, an iron chain of bondage: a system of unjust abstraction, oppression, and legal fraud, by which the most useful classes of society are drained of their wealth, and consigned over to eternal toil and never-ending slavery.

The whole of this class are mere exchangers and distributors of wealth; and happy would it be for the working class, if they were paid the full value of their actual services and no more. But the natural order of things is reversed: the exchange and distribution of wealth which intrinsically is only a secondary employment, is made a matter of the highest importance, while the production of it, which must ever be first in the order of nature, is rendered the least profitable, the most laborious, and consequently the lowest in the public estimation. I shall endeavour to point out what I conceive would be a more natural arrangement, and more accordant with justice. I think it is sufficiently clear that all wealth is the exclusive product of labour. It must then be equally clear, that the producers of it do, by their labour, support not only themselves, but also every other individual in society. The old and the young, the rich and the poor, whether they be official labourers or useless idlers, all live upon wealth which is the product of labour, and therefore the producers of it maintain them all. Now, inasmuch as there is no kind of service whatever performed in society but these pay for it, not in representative but in real wealth, would not that arrangement appear the most natural which would make these the employers instead of the employed?

Under our present commercial arrangement, there are at least ten families of the commercial class to be supported where one would fully answer the purpose; witness, for instance, the occupations of tavern-keepers and druggists alone—whereas, under the arrangement just mentioned, the producers would employ no more official labourers of any kind than were actually necessary to perform the business which they required, and these would not be paid through the medium of profit; they would receive an equitable compensation for their actual services, and no more. Thus wealth would be retained in the hands of its industrious producers, and the labouring man would be (not the vast accumulator, but) what he ought to be, the real, and though small, yet only capitalist. It is true, there are



thousands who now do nothing but revel in idle extravagance on the labour of others; and tens of thousands who are worse than uselessly employed in distributing occupations, whose resources of enjoyment or accumulation would, by this arrangement, be utterly cut off; but why should these riot any longer like useless drones on the proceeds of industry, impoverishing the producers, and consigning us to endless toil? the door would be open—let them turn producers. Under such an arrangement they might enjoy the whole product of their industry, because the system of abstraction would be terminated. There would be no means of accumulating wealth faster than by productive labour; “profit” and usury, those sources of indolence, pride, and extravagance to the few, and endless toil and degradation to the million, would be laid aside, and there would be no channel left through which wealth could be drawn out of the hands of its industrious producers, but for services actually rendered.—*Anon.*

If commerce were permitted to act to the universal extent it is capable of, it would extirpate the system of war, and produce a revolution in the uncivilized state of governments. The invention of commerce has arisen since those governments began, and is the greatest approach towards universal civilization, that has yet been made by any means not immediately flowing from moral principles.

That the principles of commerce, and its universal operation, may be understood, without understanding the practice, is a position that reason will not deny; and it is on this ground only that I argue the subject. It is one thing in the counting-house, in the world it is another. With respect to its operation, it must necessarily be contemplated as a reciprocal thing; that only one half of its powers resides within the nation, and that the whole is as effectually destroyed by destroying the half that resides without, as if the destruction had been committed on that which is within; for neither can act without the other.

When in the last, as well as in former wars, the commerce of England sunk, it was because the general quantity was lessened everywhere: and it now rises, because commerce is in a rising state in every nation. If England, at this day,\* imports and exports more than at any for-

\* This was written in 1792.

mer period, the nations with which she trades must necessarily do the same ; her imports are their exports, and *vice versa*.

There can be no such thing as a nation flourishing alone in commerce ; she can only participate ; and the destruction of it in any part must necessarily affect all. When, therefore, governments are at war, the attack is made upon the common stock of commerce, and the consequence is the same as if each had attacked his own.

It is worth remarking, that every nation reckons the balance of trade in its own favour ; and therefore something must be irregular in the common ideas upon this subject.

The fact, however, is true, according to what is called a balance ; and it is from this cause that commerce is universally supported. Every nation feels the advantage, or it would abandon the practice : but the deception lies in the mode of making up the accounts, and in attributing what are called profits to a wrong cause.

No balance, therefore, as applying to superior advantages, can be drawn from those documents ; and if we examine the natural operation of commerce, the idea is fallacious ; and if true, would soon be injurious. The great support of commerce consists in the balance being a level of benefits among all nations.

Two merchants of different nations trading together, will both become rich, and each makes the balance in his own favour ; consequently, they do not get rich out of each other ; and it is the same with respect to the nations in which they reside. The case must be, that each nation must get rich out of its own means, and increase those riches by something which it procures from another in exchange.

If a merchant in England sends an article of English manufacture abroad, which costs him a shilling at home, and imports something which sells for two, he makes a balance of one shilling in his own favour ; but this is not gained out of the foreign nation or the foreign merchant, for he also does the same by the article he receives, and neither has a balance of advantage upon the other. The original value of the two articles in their proper countries was but two shillings ; but by changing their places, they acquire a new idea of value, equal to double what they had at first, and that increased value is equally divided.

There is no otherwise a balance on foreign than on domestic commerce. The merchants of London and Newcastle trade on the same principles as if they resided in different nations, and make their balances in the same manner: yet London does not get rich out of Newcastle, any more than Newcastle out of London: but coals, the merchandise of Newcastle, have an additional value at London, and London merchandise has the same at Newcastle.

Though the principle of all commerce is the same, the domestic, in a national view, is the part the most beneficial; because the whole of the advantages, on both sides, rests within the nation; whereas, in foreign commerce, it is only a participation of one half.

The most unprofitable of all commerce is that connected with foreign dominion. To a few individuals it may be beneficial, merely because it is commerce; but to the nation it is a loss. The expense of maintaining dominion more than absorbs the profits of any trade. It does not increase the general quantity in the world, but operates to lessen it; and as a greater mass would be afloat by relinquishing dominion, the participation without the expense would be more valuable than a greater quantity with it.

But it is impossible to engross commerce by dominion; and therefore it is still more fallacious. It cannot exist in confined channels, and necessarily breaks out by regular or irregular means, that defeat the attempt; and to succeed would be still worse. France, since the revolution, has been more than indifferent as to foreign possessions; and other nations will become the same, when they investigate the subject with respect to commerce.

To the expense of dominion is to be added that of navies, and when the amount of the two are subtracted from the profits of commerce, it will appear, that what is called the balance of trade, even admitting it to exist, is not enjoyed by the nation, but absorbed by the government.

The idea of having navies for the protection of commerce is delusive. It is putting the means of destruction for the means of protection. Commerce needs no other protection than the reciprocal interest which every nation feels in supporting it—it is common stock—it exists by a balance of advantages to all; and the only interruption it meets, is

from the present uncivilized state of governments, and which it is its common interest to reform.\*—*Paine*.

Peace is the natural effect of trade. Two nations who traffic with each other become reciprocally dependent; for if one has an interest in buying, the other has an interest in selling; and thus their union is founded on their mutual necessities. But if the spirit of commerce unites nations, it does not in the same manner unite individuals. We see, that in countries where the people move only by the spirit of commerce, they make a traffic of all the humane, all the moral virtues; the most trifling things, those which humanity would demand, are there done, or there given, only for money. The spirit of trade produces in the mind of man a certain sense of exact justice, opposite on the one hand to robbery, and on the other to those moral virtues which forbid our always adhering rigidly to the rules of private interest.—*Montesquieu*.

\* When I saw Mr. Pitt's mode of estimating the balance of trade, in one of his parliamentary speeches, he appeared to me to know nothing of the nature and interest of commerce; and no man has more wantonly tortured it than himself. During a period of peace, it has been havocked with the calamities of war. Three times has it been thrown into stagnation, and the vessels unmanned by impressing, within less than four years of peace.



## PART IV.

### OF PROPERTY.

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#### CHAPTER I.

##### PRIVATE PROPERTY.

IF you should see a flock of pigeons in a field of corn ; and if (instead of each picking where and what it liked, taking just as much as it wanted, and no more) you should see ninety-nine of them gathering all they got into a heap ; reserving nothing for themselves but the chaff and the refuse ; keeping this heap for one, and that the weakest, perhaps worst, pigeon of the flock ; sitting round, and looking on, all the winter, whilst this one was devouring, throwing about, and wasting it ; and if a pigeon, more hardy or hungry than the rest, touched a grain of the hoard, all the others instantly flying upon it, and tearing it to pieces ; if you should see this, you would see nothing more than what is every day practised and established among men. Among men, you see the ninety and nine toiling and scraping together a heap of superfluities for one (and this one, too, oftentimes the feeblest and worst of the whole set ; a child, a woman, a madman, or a fool) ; getting nothing for themselves all the while, but a little of the coarsest of the provision which their own industry produces ; looking quietly on, while they see the fruits of all their labour spent or spoiled ; and if one of the number take or touch a particle of the hoard, the others joining against him, and hanging him for the theft !

There must be some very important advantages to account for an institution which, in the view of it above given, is so paradoxical and unnatural.

The principal of these advantages are the following :—

I. It increases the produce of the earth.

The earth, in climates like ours, produces little without cultivation : and none would be found willing to cultivate the ground, if others were to be admitted to an equal share of the produce. The same is true of the care of flocks and herds of tame animals.

Crabs and acorns, red deer, rabbits, game, and fish, are all which we should have to subsist upon in this country, if we trusted to the spontaneous productions of the soil ; and it fares not much better with other countries. A nation of North-American savages, consisting of two or three hundred, will take up, and be half-starved upon a tract of land, which in Europe, and with European management, would be sufficient for the maintenance of as many thousands.

In some fertile soils, together with great abundance of fish upon their coasts, and in regions where clothes are unnecessary, a considerable degree of population may subsist without property in land ; which is the case in the islands of Otaheite : but in less favoured situations, as in the country of New Zealand, though this sort of property obtain, in a small degree, the inhabitants, for want of a more secure and regular establishment of it, are driven oftentimes by the scarcity of provision, to devour one another.

II. It preserves the produce of the earth to maturity.

We may judge what would be the effects of a community of right to the productions of the earth, from the trifling specimens which we see of it at present. A cherry-tree in a hedge-row, nuts in a wood, the grass of an unstinted pasture, are seldom of much advantage to any body, because people do not wait for the proper season of reaping them. Corn, if any were sown, would never ripen ; lambs and calves would never grow up to sheep and cows, because the first person that met them would reflect, that he had better take them as they are, than leave them for another.

III. It prevents contests.

War and waste, tumult and confusion, must be unavoidable and eternal, where there is not enough for all, and where there are no rules to adjust the division.

IV. It improves the conveniency of living.

This it does two ways. It enables mankind to divide

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themselves into distinct professions ; which is impossible, unless a man can exchange the productions of his own art for what he wants from others ; and exchange implies property. Much of the advantage of civilized over savage life, depends upon this. When a man is from necessity his own tailor, tent-maker, carpenter, cook, huntsman, and fisherman, it is not probable that he will be expert at any of his callings. Hence the rude habitations, furniture, clothing, and implements of savages ; and the tedious length of time which all their operations require.

It likewise encourages those arts, by which the accommodations of human life are supplied, by appropriating to the artist the benefit of his discoveries and improvements ; without which appropriation, ingenuity will never be exerted with effect.

Upon these several accounts we may venture, with a few exceptions, to pronounce, that even the poorest and the worst provided, in countries where property and the consequences of property prevail, are in a better situation, with respect to food, raiment, houses, and what are called the necessaries of life, than any are in places where most things remain in common.

The balance, therefore, upon the whole, must preponderate in favour of property with a manifest and great excess.

Inequality of property, in the degree in which it exists in most countries of Europe, abstractedly considered, is an evil : but it is an evil which flows from those rules concerning the acquisition and disposal of property, by which men are incited to industry, and by which the object of their industry is rendered secure and valuable. If there be any great inequality unconnected with this origin, it ought to be corrected.—*Paley*.

The fruitful source of crimes consists in one man's possessing in abundance that of which another man is destitute. The spirit of oppression, the spirit of servility, and the spirit of fraud, are the immediate growth of the established system of property. The other vices of envy, malice, and revenge, are their inseparable companions. In a state of society where men lived in the midst of plenty, and where all shared alike the bounties of nature, these sentiments would inevitably expire. Property brings home a servile and truckling spirit, by no circuitous me-

thod, to every house in the nation. Observe the pauper fawning with abject vileness upon his rich benefactor, and speechless with sensations of gratitude for having received that which he ought to have claimed with an erect mien, and with a consciousness that his claim was irresistible. Observe the servants that follow in a rich man's train, watchful of his looks, anticipating his commands, not daring to reply to his insolence, all their time and their efforts under the direction of his caprice. Observe the tradesman, how he studies the passions of his customers, not to correct but to pamper them; the vileness of his flattery, and the systematic constancy with which he exaggerates the merit of his commodities.

Ambition is of all the passions of the human mind the most extensive in its ravages. It adds district to district, and kingdom to kingdom. It spreads bloodshed, and calamity, and conquest over the face of the earth. But the passion itself, as well as the means of gratifying it, is the produce of the prevailing system of property. It is only by means of accumulation that one man obtains an unresisted sway over multitudes of others. It is only by means of a certain distribution of income, that the present governments of the world are retained in existence. Nothing more easy than to plunge nations so organised into war. It is clear, that war in every horrid form is the growth of property. It is property that forms men into one common mass, and makes them fit to be played upon like a mute machine.—*Godwin.*

In the most refined states of Europe, the inequality of property has risen to an alarming height. Vast numbers of their inhabitants are deprived of almost every accommodation that can render life tolerable or secure. Their utmost industry scarcely suffices for their support. The women and children lean with an insupportable weight upon the efforts of the man, so that a large family has, in the lower order of life, become a proverbial expression for an uncommon degree of poverty and wretchedness. If sickness, or some of those casualties which are perpetually incident to an active and laborious life, be superadded to these burdens, the distress is still greater.—*Godwin.*

It is contrary to the divine laws of nature that some mortals should superabound and luxuriate in what is necessary and useful, and also in what is useless and injurious;



while from the great mass of their fellow beings the means are thereby withheld by which their invaluable capacities, physical, mental, and moral, ought to be well cultivated for their own advantage, and for the benefit of the world. It is contrary to the well-being, and best and highest interest of society, and of every individual of which it is composed, that the enormous, almost incalculable productive power which modern science has placed at the disposal of man, and all his superior as well as his inferior faculties, should be employed day by day, and year after year, with energy and talent, in fruitless attempts to create a sufficiency of wealth and privilege for the individual, in opposition and competition with all other individuals. It is the direct application of the mighty energies, powers, and capacities, physical and mental, to produce that which, when attained to the greatest possible extent, for the individual, is useless, burdensome, and often highly injurious to the imagined successful possessor.

The arrangements which are requisite to enable individuals to obtain and secure for their own use only private property, necessarily render it impracticable that any individual should attain, under those arrangements, the free and beneficial use of as much property as all may enjoy under another system, in which no permanent private property shall be necessary, or even desired by any one.

The certain consequence of a system founded on private property is to produce an hostile and unnatural state of society, by which very great additional labour will be required to create comparatively a very small amount of available wealth for the population individually or in the aggregate. In consequence of each individual being opposed in his attempts to acquire wealth by all the other members of the community, in the endeavours to accumulate it also, an addition is unavoidably made to the whole labour of society, of which no one trained in, and remaining under, the influence of the individual system, can form any adequate conception. The individual competition and contest for private wealth may be aptly compared to forces of nearly equal powers acting continually in opposition to each other; and, in consequence, the efforts of one counteracted by the efforts of others in every direction in which it may attempt to proceed, the energies of all become nearly equipoised, and the power of the whole

is rendered of little or no effect. By these proceedings, under this wretchedly insane system, not one portion of real, intrinsic, valuable wealth is brought into existence for the benefit of mankind, for a hundred, or more correctly for a thousand, that, under a rational system for the creation of wealth, would be obtained for the use of the world ; and obtained with half of the physical exertions, and without any of the mental anxieties, which the existing vile practices of society require.

The arrangements which are required to establish and support a system of private property, render it absolutely necessary to create measures to prevent the production of a sufficiency of the necessities and comforts of life for a very large portion of the community, and to implant in childhood, and to cultivate through life, the most inferior and injurious feelings and passions, rendering society a chaos of the most incongruous proceedings injurious to young and old, rich and poor, the governors and the governed.

A priesthood, with all its mental oppression, unavoidable hypocrisy, and pecuniary exactions, is necessary to aid in obtaining and securing private property ; and to effect these objects, they must teach doctrines which implant all the inferior and injurious feelings and passions, which can be forced into the human mind. The complicated, perplexed, inconsistent, unjust, and wretchedly-injurious system of laws, is also required to support the system of private property, although by its support thousands are deprived of all the private property which they have acquired through many years of toil and anxiety. All the direct expense of law-suits and of the machinery of law ; all the time of those engaged in this profession ; all the time of the suitors in the various courts ; all the anxieties which they experience to withdraw attention from other and more beneficial pursuits ; all the heart-burnings, agitations, and quarrels, which law contests create, to occupy the time and attention of the parties ; are all direct deductions from the amount of real and valuable wealth, that, without anxiety and unpleasant feelings of any kind, would be otherwise created.

The complicated arrangements necessary to procure and obtain all the rights, as they are termed, of private property, are measures necessarily and unavoidably productive

of motives to the commission of an incalculable extent of crimes, and of forming society into a machine too complex to be understood by almost any mind, in consequence of the innumerable laws, customs, and regulations, which become requisite to meet the growing evils which daily arise, while property is accumulating in the hands of a few, and diminishing in proportion in the possession of the many; or while the extension of inequality of rank and condition is upon the increase.—*Owen*.

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## CHAPTER II.

### PRIVATE PROPERTY IN LAND.

THERE is nothing which so generally strikes the imagination, and engages the affections of mankind, as the right of property; or that sole and despotic dominion which one man claims and exercises over the external things of the world, in total exclusion of the right of any other individual in the universe. And yet there are very few, that will give themselves the trouble to consider the original and foundation of this right. Pleased as we are with the possession, we seem afraid to look back to the means by which it was acquired, as if fearful of some defect in our title; or at best we rest satisfied with the decision of the laws in our favour, without examining the reason or authority upon which those laws have been built. We think it enough that our title is derived by the grant of the former proprietor, by descent from our ancestors, or by the last will and testament of the dying owner; not caring to reflect that (accurately and strictly speaking) there is no foundation in nature or in natural law, why a set of words upon parchment should convey the dominion of land; why the son should have a right to exclude his fellow-creatures from a determinate spot of ground, because his father had done so before him; or why the occupier of a particular field or jewel, when lying on his death-bed and no longer able to maintain possession, should be entitled to tell the rest of the world which of them should enjoy it after him. These inquiries, it must be owned, would be useless and even troublesome

in common life. It is well if the mass of mankind will obey the laws when made, without scrutinizing too nicely into the reasons of making them. But, when law is considered not only as matter of practice, but also as a rational science, it cannot be improper or useless to examine more deeply the rudiments and grounds of these positive constitutions of society.

In the beginning of the world, we are informed by holy writ, the all-bountiful Creator gave to man "dominion over all the earth; and over the fish of the sea, and over the fowl of the air, and over every living thing that moveth upon the earth." This is the only true and solid foundation of man's dominion over external things, whatever airy metaphysical notions may have been started by fanciful writers upon this subject. The earth, therefore, and all things therein, are the general property of all mankind, exclusive of other beings, from the immediate gift of the Creator. And, while the earth continued bare of inhabitants, it is reasonable to suppose, that all was in common among them, and that every one took from the public stock to his own use such things as his immediate necessities required.

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Not that this communion of goods seems ever to have been applicable, even in the earliest ages, to aught but the substance of the thing; nor could it be extended to the use of it. For, by the law of nature and reason, he, who first began to use it, acquired therein a kind of transient property, that lasted so long as he was using it, and no longer: or, to speak with greater precision, the right of possession continued for the same time only that the act of possession lasted. Thus the ground was in common, and no part of it was the permanent property of any man in particular; yet whoever was in the occupation of any determined spot of it, for rest, for shade, or the like, acquired for the time a sort of ownership, from which it would have been unjust, and contrary to the law of nature, to have driven him by force; but the instant that he quitted the use or occupation of it, another might seize it without injustice. Thus also a vine or other tree might be said to be in common, as all men were equally entitled to its produce; and yet any private individual might gain the sole property of the fruit, which he had gathered for his own repast. A doctrine well illustrated by Cicero, who compares the world



to a great theatre, which is common to the public, and yet the place which any man has taken is for the time his own.

But when mankind increased in number, craft, and ambition, it became necessary to entertain conceptions of more permanent dominion; and to appropriate to individuals not the immediate use only, but the very substance of the thing to be used. Otherwise innumerable tumults must have arisen, and the good order of the world been continually broken and disturbed, while a variety of persons were striving who should get the first occupation of the same thing, or disputing which of them had actually gained it. As human life also grew more and more refined, abundance of conveniences were devised to render it more easy, commodious, and agreeable; as, habitations for shelter and safety, and raiment for warmth and decency. But no man would be at the trouble to provide either, so long as he had only an usufructuary property in them, which was to cease the instant that he quitted possession: if, as soon as he walked out of his tent, or pulled off his garment, the next stranger who came would have a right to inhabit the one, and to wear the other. In the case of habitations in particular, it was natural to observe, that even the brute creation, to whom every thing else was in common, maintained a kind of permanent property in their dwellings, especially for the protection of their young; that the birds of the air had nests, and the beast of the fields had caverns, the invasion of which they esteemed a very flagrant injustice, and would sacrifice their lives to preserve them. Hence a property was soon established in every man's house and home-stall; which seem to have been originally mere temporary huts or moveable cabins, suited to the design of Providence for more speedily peopling the earth, and suited to the wandering life of their owners, before any extensive property in the soil or ground was established. And there can be no doubt, but that moveables of every kind became sooner appropriated than the permanent substantial soil: partly because they were more susceptible of a long occupancy, which might be continued for months together without any sensible interruption, and at length by usage ripen into an established right; but principally because few of them could be fit for use, till improved and meliorated by the bodily

labour of the occupant: which bodily labour, bestowed upon any subject which before lay in common to all men, is universally allowed to give the fairest and most reasonable title to an exclusive property therein.

The article of food was a more immediate call, and therefore a more early consideration. Such as were not contented with the spontaneous product of the earth, sought for a more solid refreshment in the flesh of beasts, which they obtained by hunting. But the frequent disappointments incident to that method of provision, induced them to gather together such animals as were of a more tame and sequacious nature; and to establish a permanent property in their flocks and herds, in order to sustain themselves in a less precarious manner, partly by the milk of the dams, and partly by the flesh of the young. The support of their cattle made the article of water also a very important point. And therefore the Book of Genesis (the most venerable monument of antiquity, considered merely with a view to history) will furnish us with frequent instances of violent contentions concerning wells; the exclusive property of which appears to have been established in the first digger or occupant, even in such places where the ground and herbage remained yet in common. Thus we find Abraham, who was but a sojourner, asserting his right to a well in the country of Abimelech, and exacting an oath for his security, "because he had digged that well." And Isaac, about ninety years afterwards, reclaimed this his father's property; and, after much contention with the Philistines, was suffered to enjoy it in peace.

All this while the soil and pasture of the earth remained still in common as before, and open to every occupant: except perhaps in the neighboured of towns, where the necessity of a sole and exclusive property in lands (for the sake of agriculture) was earlier felt, and therefore more readily complied with. Otherwise, when the multitude of men and cattle had consumed every convenience on one spot of ground, it was deemed a natural right to seize upon and occupy such other lands as would more easily supply their necessities.

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Upon the same principle was founded the right of migration, or sending colonies to find out new habitations, when

the mother-country was overcharged with inhabitants; which was practised as well by the Phœnicians and Greeks as the Germans, Scythians, and other northern people. And, so long as it was confined to the stocking and cultivation of desert, uninhabited countries, it kept strictly within the limits of the law of nature. But how far the seizing on countries already 'peopled, and driving out or massacreing the innocent and defenceless natives, merely because they differed from their invaders in language, in religion, in customs, in government, or in colour; how far such a conduct was consonant to nature, to reason, or to Christianity, deserved well to be considered by those who have rendered their names immortal by thus civilizing mankind.

As the world by degrees grew more populous, it daily became more difficult to find out new spots to inhabit, without encroaching upon former occupants: and by constantly occupying the same individual spot, the fruits of the earth were consumed, and its spontaneous produce destroyed, without any provision for a future supply or succession. It therefore became necessary to pursue some regular method of providing a constant subsistence; and this necessity produced, or at least promoted and encouraged, the art of agriculture. And the art of agriculture, by a regular connexion and consequence, introduced and established the idea of a more permanent property in the soil, than had hitherto been received and adopted. It was clear that the earth would not produce her fruits in sufficient quantities, without the assistance of tillage: but who would be at the pains of tilling it, if another might watch an opportunity to seize upon and enjoy the product of his industry, art, and labour? Had not therefore a separate property in lands, as well as moveables, been vested in some individuals, the world must have continued a forest, and men have been mere animals of prey; which, according to some philosophers, is the genuine state of nature. Whereas now (so graciously has Providence interwoven our duty and our happiness together) the result of this very necessity has been the ennobling of the human species, by giving it opportunities of improving its rational faculties, as well as of exerting its natural. Necessity begat property: and, in order to insure that property, recourse was had to civil society, which brought along with it a long

train of inseparable concomitants: states, government, laws, punishments, and the public exercise of religious duties. Thus connected together, it was found that a part only of society was sufficient to provide, by their manual labour, for the necessary subsistence of all; and leisure was given to others to cultivate the human mind, to invent useful arts, and to lay the foundations of science.

The only question remaining is, how this property became actually vested: or what it is that gave a man an exclusive right to retain in a permanent manner that specific land, which before belonged generally to every body, but particularly to nobody. And, as we before observed that occupancy gave right to the temporary use of the soil, so it is agreed upon all hands that occupancy gave also the original right to the permanent property in the substance of the earth itself; which excludes every one else but the owner from the use of it.—*Blackstone*.

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The first person, who, having enclosed a piece of ground, bethought himself of saying, *This is mine*, and found people simple enough to believe him, was the real founder of civil society. From how many enemies, battles, and murders, from how many horrors and misfortunes, would that man have saved mankind, who should have pulled up the stakes, or filled up the ditch, crying out to his fellows, "Beware of listening to this impostor; you are undone if you once forget that the fruits of the earth belong to us all, and that the earth belongs to nobody."—*Rousseau*.

There is a difficulty in explaining the origin of this property, consistently with the law of nature; for the land was once, no doubt, common; and the question is, how any particular part of it could justly be taken out of the common, and so appropriated to the first owner, as to give him a better right to it than others; and, what is more, a right to exclude all others from it.

Moralists have given many different accounts of this matter; which diversity alone, perhaps, is a proof that none of them are satisfactory.

One tells us that mankind, when they suffered a particular person to occupy a piece of ground, by tacit consent relinquished their right to it; and as the piece of ground, they say, belonged to mankind collectively, and mankind thus gave up their right to the first peaceable



occupier, it thenceforward became his property, and no one afterward had a right to molest him in it.

The objection to this account is, that consent can never be presumed from silence, where the person whose consent is required knows nothing about the matter; which must have been the case with all mankind, except the neighbourhood of the place where the appropriation was made. And to suppose that the piece of ground previously belonged to the neighbourhood, and that they had a just power of conferring a right to it upon whom they pleased, is to suppose the question resolved, and a partition of land to have already taken place.

Another says, that each man's limbs and labour are his own exclusively; that, by occupying a piece of ground, a man inseparably mixes his labour with it; by which means the piece of ground becomes thenceforward his own, as you cannot take it from him without depriving him at the same time of something which is indisputably *his*.

This is Mr. Locke's solution; and seems indeed a fair reason, where the value of the labour bears a considerable proportion to the value of the thing; or where the thing derives its chief use and value from the labour. Thus game and fish, though they be common whilst at large in the woods or water, instantly become the property of the person that catches them; because an animal, when caught, is much more valuable than when at liberty; and this increase of value, which is inseparable from, and makes a great part of, the whole value, is strictly the property of the fowler or fisherman, being the produce of his personal labour. For the same reason, wood or iron, manufactured into utensils, becomes the property of the manufacturer; because the value of the workmanship far exceeds that of the materials. And, upon a similar principle, a parcel of unappropriated ground, which a man should pare, burn, plough, harrow, and sow, for the production of corn, would justly enough be thereby made his own. But this will hardly hold, in the manner it has been applied, of taking a ceremonious possession of a tract of land, as navigators do of new-discovered islands, by erecting a standard, engraving an inscription, or publishing a proclamation to the birds and beasts; or of turning your cattle into a piece of ground, setting up a landmark, digging a ditch, or planting a hedge round it. Nor will even the clearing, manuring,

and ploughing of a field, give the first occupier a right to it in perpetuity, and after this cultivation and all effects of it are ceased.

Another, and in my opinion a better, account of the first right of ownership, is the following: that, as God has provided these things for the use of all, he has of consequence given each leave to take of them what he wants: by virtue therefore of this leave, a man may appropriate what he stands in need of to his own use, without asking, or waiting for, the consent of others; in like manner as, when an entertainment is provided for the freeholders of a county, each freeholder goes, and eats and drinks what he wants or chooses, without having or waiting for the consent of the other guests.

But then this reason justifies property, as far as necessities alone, or, at the most, as far as a competent provision for our natural exigencies. For, in the entertainment we speak of (allowing the comparison to hold in all points), although every particular freeholder may sit down and eat till he be satisfied, without any other leave than that of the master of the feast, or any other proof of that leave than the general invitation, or the manifest design with which the entertainment is provided; yet you would hardly permit any one to fill his pockets or his wallet, or to carry away with him a quantity of provision to be hoarded up, or wasted, or given to his dogs, or stewed down into sauces, or converted into articles of superfluous luxury; especially if, by so doing, he pinched the guests at the lower end of the table.

These are the accounts that have been given of the matter by the best writers upon the subject; but, were these accounts perfectly unexceptionable, they would none of them, I fear, avail us in vindicating our present claims of property in land, unless it were more probable than it is, that our estates were actually acquired at first, in some of the ways which these accounts suppose; and that a regular regard had been paid to justice, in every successive transmission of them since; for, if one link in the chain fail, every title posterior to it falls to the ground.

The real foundation of our right is, *the law of the land*.

We deny that, strictly speaking, any man can be a proprietor of land at all. The earth is the habitation, the natural inheritance of all mankind; of ages present and to

come; a habitation belonging to no man in particular, but to every man, and one in which all have an equal right to dwell. Ask any land-owner, what right he has to the land he possesses, and he will produce a collection of parchments, to prove that, from God knows when, the property he holds has been in the possession of his ancestors. But how came his ancestors by it? He answers, by conquest or by taking possession. But neither of these could make it their property. There are but three ways in which it is possible to become rightly possessed of property. The first is by making it; the second, by purchasing it; the third, by donation from another whose property it was. Now, as it is clear that neither our present land-owners nor their ancestors did create the earth, and as it is as clear that he who did create it neither gave it to them in particular, nor sold it to them, it is impossible that they or any men living can be the proprietors of an inch of it: but right to the use and possession of land consists in having property upon it: and this is a distinction of immense importance as regards our present inquiry.

To elucidate our opinion, we will suppose that a number of men were to take up their abode on some previously uninhabited island. On their arrival there, each would feel an equal right to partake of whatever fruits he might find upon it. No one would look upon the ungathered fruit as his property, but each would consider that fruit his own which he had taken the trouble to collect. He would feel and know that he had more right to it than any of his fellows. By the same rule, none of these men would think of calling the uncultivated earth his property, and even though some one were to call a portion of it his, he would only be laughed at, while the whole of it remained in a state of nature. But, let him cultivate that land; let him clear it, and plough it; let him sow it with seed, and let that seed produce a crop; and who would say of that crop, "It is not his?" Every one would feel conscious, that it was as much his as the gathered fruit. It would be known that it was by his labour that it was produced; and who could say of such a crop, "I, who have done nothing towards its production, am as much its proprietor, as he by whose exclusive labour it was produced?"

By what right then, we ask, does any man consider him-

self entitled to rent for the use of land? To call himself the proprietor of the land itself is perfectly absurd, and as presumptuous as if he were to say, "The sun is mine, and you pay me a rent because it shines upon you." The land itself is of no value, until labour is applied to it. It is its produce only that is valuable; what does the landlord do towards the production of it? He does nothing! Then we say, that no part of it can be his. Did he make the land itself? No! Did he prepare it for the seed? No! Did he furnish the seed, and scatter it? No! Did he cause the seed to take root, and bring forth a crop? No! Was it at his command that the sun made it to ripen? No! Did he gather it into the barn? No! And did not these, collectively, produce the corn? Yes. Where then is the justice of the claim to a portion of it, since labour is the exclusive foundation of property, and since it was produced, exclusively, by the labour of other men? What equivalent does he give for that portion of it which he claims as his? He gives *no equivalent whatever*, and there is *no justice whatever* in his possessing himself of it. It was exclusively produced by the labour of others, and it is *exclusively their property*. But the world says it is his! Yes!—what has made it so? the power and custom of obtaining it!—In this, and in this alone, consists the title to it; and if this be admitted as a just foundation of property, is it not at once allowing that anything is justice which happens to be law; and that, as to a natural foundation of property, there is no such thing?

But suppose a man has entitled himself to the possession of land by cultivation, and that at some future time he wishes to dispose of it, is he not entitled to some remuneration for having improved it? Certainly! Of what quality was the land when he became possessed of it? Of such a quality! Then here is the remuneration he ought to receive; viz. the value of that quantity of manure and of that quantity of labour, which would be required to convert the land from the quality it was, to the quality it now is.—*Gray*.

It is a position not to be controverted, that the earth, in its natural uncultivated state, was, and ever would have continued to be, the common property of the human race. In that state every man would have been born to property.



He would have been a joint life-proprietor with the rest in the property of the soil, and in all its natural productions, vegetable and animal. But the earth, in its natural state, is capable of supporting but a small number of inhabitants compared with what it is capable of doing in a cultivated state. And as it is impossible to separate the improvement made by cultivation from the earth itself, upon which that improvement is made, the idea of landed property arose from that inseparable connection; but it is nevertheless true, that it is the value of *the improvement* only, and not *the earth* itself, that is individual property. Every proprietor, therefore, of cultivated land, owes to the community a ground-rent, for I know no better term to express the idea by, for the land which he holds.—*Paine*.

There could be no such thing as landed property originally. Man did not make the earth, and though he had a natural right to occupy it, he had no right to locate as his property, in perpetuity, any part of it: neither did the Creator of the earth open a land-office, from whence the first title-deeds should issue.—From whence then arose the idea of landed property? I answer as before, that when cultivation began, the idea of landed property began with it; from the impossibility of separating the improvement made by cultivation, from the earth itself upon which that improvement was made. The value of the improvement so far exceeded the value of the natural earth, at that time, as to absorb it; till, in the end, the common right of all became confounded into the cultivated right of the individual. But they are, nevertheless, distinct species of rights, and will continue to be so as long as the world endures. . . . Nothing could be more unjust than Agrarian Law in a country improved by cultivation; for though every man, as an inhabitant of the earth, is a joint proprietor of it in its natural state, it does not follow that he is a joint proprietor of cultivated earth. The additional value made by cultivation, after the system was admitted, became the property of those who did it, or who inherited it from them, or who purchased it. It had originally an owner. Whilst, therefore, I advocate the right and interest myself in the hard case of all those who have been thrown out of their natural inheritance by the introduction of the system of landed property, I equally defend the right of the possessor to the part which is his.

Cultivation is, at least, one of the greatest natural improvements ever made by human invention. It has given to created earth a ten-fold value. But the landed monopoly, that began with it, has produced the greatest evil. It has dispossessed more than half the inhabitants of every nation of their natural inheritance, without providing for them, as ought to have been done, an indemnification for that loss; and has thereby created a species of poverty and wretchedness that did not exist before.—*Idem.*

Whether we consider natural reason, which tells us, that men, being once born, have a right to their preservation, and consequently to meat and drink, and such other things as nature affords for their subsistence; or revelation, which gives us an account of those grants God made of the world to Adam, and to Noah and his sons: it is very clear that God has given the earth to the children of men, —given it to mankind in common.—*Locke.*

## PART V.

### OF POLITICAL AND RELIGIOUS DISTINCTIONS.

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#### CHAPTER I.

##### AN ARISTOCRACY AND HEREDITARY PEERAGE.

THE Peerage of this and other countries is indebted for its origin to circumstances which it has long survived; and now that it is placed in another and entirely different position from that in which it once stood, it is natural to suppose that it may require considerable modification and adaptation, to fit it for a continued and useful existence.

At a time when, throughout Europe, force was the arbiter of every question of right and wrong, Peers were the wielders and depositaries of force. Land, which both gave the power and limited it, was granted to them, on a condition that they should agree to club their force with that of the chief of all, when his will required its exertion.

The authority over possessors of land held on this sole condition, could never be so firmly fixed as to reduce them to an entire submission to the wishes of their suzerain: so they were not only commanded, they were also persuaded and consulted; and in order to this, the great holders of land, on occasion of any measure which required their aid for its execution, were called together—summoned by the King to appear at a particular time and place, to assist him by their aid and counsel. Hence a House of Peers.

What were the People all this time?—Retainers, small

holders dependent on greater, bordars, cottars, villeins; in short, they were the simple instruments of their superiors—links of a chain, powerless in themselves, and moveable only in the order in which they were bound together.

There was, however, one other element of power—the Church; a power partly of opinion, and partly arising out of the possession of the arts of learning, which were found convenient, and ultimately necessary, to the wielders of physical force. The priest held the pen as well as the keys of heaven.

Sometimes these two forces, the physical and the spiritual, are seen in opposition; but they early found it their mutual interest to proceed in unison, and share the spoils of the country they ruled.

But all is changed: the links of the chain are broken, the metal is re-cast: the feudal system remains only in the prejudices it has left behind, and in a few forms and some ancient institutions,—prejudices, however, deeply rooted, and which it will require time to eradicate, and institutions and formal distinctions which, where they interfere with the well-being of the people, must be gradually either destroyed or modified. One of these institutions is the House of Lords.

The reign of force gradually yielded to that of opinion, and the acquirements of the priesthood became general accomplishments: nothing was left them but the other world,—which they did not seem to value except as a means of influence in this. But the manner in which this change was brought about is important: its history throws a flood of light upon the nature and character of modern institutions.

Various causes split the possessions of the great feudal holders of land, and made such a division of ranks among themselves, that they became distinguished as Greater and Lesser Barons. With smaller possessions came smaller consequence; and while the King continued to summon the Greater Barons to his Council himself, he deputed the duty of summoning the Lesser Barons to the Sheriffs of each county; and as these Lesser Barons still continued to grow more numerous as well as smaller, it ultimately came to pass that two were chosen to represent the Lesser Barons, under the denomination of Knights of the Shire.

Contemporaneously with this change, which was one



of decomposition, another took place, which was one full of life and vigour. The institutions of feudality permitted men, on paying a certain tribute to their seigneur, to assemble together in towns, and to pursue their respective occupations for their own benefit: on these towns were conferred charters and privileges, both for their better regulation, and with a view to draw from them a part of that wealth which it is the nature of commerce to accumulate. The possession of wealth and the payment of money always end in conferring upon the possessor an advantage. These towns and boroughs and cities sent their delegates to agree as to the sum they were to pay; and if a greater amount than usual were demanded, it was a natural consequence that they should be told of the object, and consulted as to its necessity.

The Greater and the Lesser Barons and the delegates of the towns having become a very numerous body, and their ranks and offices being different, a natural separation took place. The greater barons have continued to form the House of Lords; and the Lesser Barons, as sent up by the Sheriffs, together with the delegates of the towns, the House of Commons.

The Peers were thus set apart for themselves; the Commons became the representatives of the people. The Peers have remained Peers, but the Commons have been aggrandized with the body of which they were the index. At the time the division took place, it might be an equal one; there is no proportion now between a chamber of Lords and the People—the stupendous wealth and the wide-spread intelligence—in fact, all that which makes a state—exists in or springs out of that vast collection of organization which has germinated from the poor seeds sown by the villeins and thralls, the cottars and burgesses, of a time of ignorance and barbarism.—*Spectator*.

Our young nobility are bred from their childhood in idleness and luxury. As soon as their years will permit, they consume their vigour, and contract odious diseases among

\* It is not meant here that the Commons have made the People, but the People the Commons, in spite of all sinister interference. In ancient times as well as modern, the Commons have conspired with the Peers to keep down the People; as in their endeavours to perpetuate the system of villeinage. Vide 5 Ric. II. *Rot. Parl.*

lewd females; and when their fortunes are almost ruined, they marry some woman of mean birth, disagreeable person, and unsound constitution, merely for the sake of money, whom they hate and despise. The productions of such marriages are generally scrofulous, rickety, or deformed children; by which means, the family seldom continues above three generations, unless the wife takes care to provide a healthy father among her neighbours or domestics, in order to improve and continue the breed. A weak diseased body, a meagre countenance, and sallow complexion, are the true marks of noble blood; and a healthy, robust appearance is so disgraceful in a man of quality, that the world concludes his father to have been a groom or a coachman. The imperfections of his mind are parallel with those of his body, being a composition of spleen, dulness, ignorance, caprice, sensuality, and pride. Without the consent of this illustrious body, no law can be enacted, repealed, or altered: and these nobles have likewise the decision of all our possessions without appeal.—*Swift*.

That which is called aristocracy in some countries, and nobility in others, arose out of the governments founded in conquest. It was originally a military order, for the purpose of supporting military government (for such were all governments founded upon conquest); and to keep a succession of this order for the purpose for which it was established, all the younger branches of those families were disinherited, and the law of primogenitureship set up.

The nature and character of aristocracy shows itself to us in this law. It is a law against every law of nature, and nature herself calls for its destruction. Establish family justice, and aristocracy falls. By the aristocratical law of primogenitureship, in a family of six children, five are exposed. Aristocracy has never more than one child. The rest are begotten to be devoured. They are thrown to the cannibal for prey, and the natural parent prepares the unnatural repast. As every thing which is out of nature in man, affects more or less the interest of society, so does this. All the children which the aristocracy disown (which are all except the eldest) are, in general, cast like orphans upon a parish, to be provided for by the public, but at a greater charge. Unnecessary offices and places, in governments and courts, are created at the expense of the public, to maintain them.

With what kind of parental reflections can the father or mother contemplate their younger offspring? By nature they are children, and by marriage they are heirs; but by aristocracy they are bastards and orphans. They are the flesh and blood of their parents in one line, and nothing akin to them in the other. To restore, therefore, parents to their children, and children to their parents—relations to each other, and man to society—and to exterminate the monster, Aristocracy, root and branch, the French constitution has destroyed the law of primogenitureship. Here then lies the monster, and Mr. Burke, if he pleases, may write its epitaph.

Hitherto we have considered aristocracy chiefly in one point of view. We have now to consider it in another. But whether we view it before, or behind, or any way else, domestically or publicly, it is still a monster. In France, aristocracy had one feature less in its countenance, than what it has in some other countries. It did not compose a body of hereditary legislators. It was not a "corporation of aristocracy,"—for such I have heard M. de la Fayette describe an English house of peers. Let us then examine the grounds upon which the French constitution has resolved against having such a house in France.

Because, in the first place, as is already mentioned, aristocracy is kept up by family tyranny and injustice. *Secondly*, because there is an unnatural unfitness in aristocracy to be legislators for a nation. Their ideas of distributive justice are corrupted at the very source. They begin life by trampling on all their younger brothers and sisters, and relations of every kind, and are taught and educated so to do. With what ideas of justice and honour can that man enter a house of legislation, who absorbs in his own person the inheritance of a whole family of children, or doles out to them some pitiful portion with the insolence of a gift? *Thirdly*, because the idea of hereditary legislators is as inconsistent as that of hereditary judges, or hereditary juries; and as absurd as an hereditary mathematician, or an hereditary wise man: and as ridiculous as an hereditary poet-laureat. *Fourthly*, because a body of men holding themselves accountable to nobody, ought not to be trusted by any body. *Fifthly*, because it is continuing the uncivilized principle of governments founded in conquest, and the base idea of man having a property in

man, and governing him by personal right. *Sixthly*, because aristocracy has a tendency to degenerate the human species. By the universal economy of nature it is known, and by the instance of the Jews it is proved, that the human species has a tendency to degenerate, in any small number of persons, when separated from the general stock of society, and intermarrying constantly with each other. It defeats even its pretended end, and becomes in time the opposite of what is noble in man.....The greatest characters the world has known, have arisen on the democratic floor. Aristocracy has not been able to keep a proportionate pace with democracy. The artificial noble shrinks into a dwarf before the noble of nature; and in the few instances of those (for there are some in all countries) in whom nature, as by a miracle, has survived in aristocracy, those men despise it.—*Paine*.

If a house of legislation is to be composed of men of one class, for the purpose of protecting a distinct interest, all the other interests should have the same. The inequality, as well as the burden of taxation, arises from admitting it in one case, and not in all. Had there been a house of farmers, there had been no game laws; or a house of merchants and manufacturers, the taxes had neither been so unequal nor so excessive. It is from this power of taxation being in the hands of those who can throw so great a part of it from their own shoulders, that it has raged without a check.

Men of small or moderate estates, are more injured by the taxes being thrown on articles of consumption, than they are eased by warding it from landed property, for the following reasons:—

First, they consume more of the productive taxable articles, in proportion to their property, than those of large estates.

Secondly, their residence is chiefly in towns, and their property in houses; and the increase of the poor-rates, occasioned by taxes on consumption, is in much greater proportion than the land-tax has been favoured. In Birmingham, the poor-rates are not less than seven shillings in the pound. From this, as is already observed, the aristocracy are in a great measure exempt.

These are but a part of the mischiefs flowing from the wretched scheme of a house of peers.



As a combination, it can always throw a considerable portion of taxes from itself; and as an hereditary house, accountable to nobody, it resembles a rotten borough, whose consent is to be courted by interest. There are but few of its members, who are not in some mode or other participators or disposers of the public money. One turns a candle-holder, or a lord in waiting; another a lord of the bed-chamber, a groom of the stole, or any insignificant nominal office to which a salary is annexed, paid out of the public taxes, and which avoids the direct appearance of corruption. Such situations are derogatory to the character of man; and where they can be submitted to, honour cannot reside.

To all these are to be added the numerous dependants, the long list of younger branches and distant relations, who are to be provided for at the public expense; in short, were an estimation to be made of the charge of aristocracy to a nation, it would be found nearly equal to that of supporting the poor.—*Ibid.*

Noble birth implies only a peerage in the family. Ancestors are by no means necessary for this kind of birth: the patent is the midwife, and the very first descent is noble. Birth, singly, and without an epithet, extends, I cannot possibly say how far, but negatively it stops where useful arts and industry begin. Merchants, tradesmen, yeomen, farmers, and ploughmen, are not born, or at least, in so mean a way as not to deserve that name; and it is, perhaps, for that reason, their mothers are said to be delivered, rather than brought to bed, of them. But baronets, knights, and squires, have the honour of being born.—*World.*

There are a set of men in all the states of Europe, who assume from their infancy a pre-eminence, independent of their moral character. The attention paid them from the moment of their birth, gives them the idea that they are formed for command; they soon learn to distinguish themselves as a distinct species, and being secure of a certain rank and station, take no pains to make themselves worthy of it. To this institution we owe so many indifferent ministers, ignorant magistrates, and bad generals.—*Abbe Raynal.*

A peer, sitting in judgment, is not required to give his verdict upon oath, like a commoner, but upon his

honour. What a stigma on the other classes of the community! Just as if a peer alone had honour, and all others were base perfidious slaves, from whom truth could only be extorted when they had been forced into the presence of their Creator.

A member of the lower house is the deputy or representative of others, and cannot delegate his powers; but a peer represents only himself, and may vote by proxy on any question, even though he has never been present to discuss its merits.

If a thief break into a church, and steal the surplice or cushion, it is not like stealing a ledger or cash-box from a shop or counting-house—it is sacrilege. If a man scandalize a peer, by speaking evil of him, it is not common scandal, it is *scandalum magnatum*, that is, great scandal, subjecting the offender to indefinite punishment.

If a peer jobs in the funds, as many of them do; or if he gets up bubble-companies, as some of them have done, to dupe credulous people; and if he involve himself in debt by these fraudulent practices, you cannot imprison him to enforce payment; neither can you make him a bankrupt, and sequester his estates. The property of a peer, like his person, has a dignity about it, and must not be violated. You may knock down Nathan Rothschild, though he is a very rich man, or a worshipful alderman, or even a right honourable lord mayor, and the justices will only charge you a few shillings for the liberty you have taken; but, if you knock down a peer, though he is ever so insolent, it is almost as bad as murder.

Peers being great landowners, therefore land, as well as their persons, enjoys immunities which do not attach to chattel property. A noble lord may run into as much debt as he pleases, and then, with impunity, defraud all his creditors. He may live in the utmost profusion: he may borrow money to support his extravagance, or for providing portions for younger children, making the most solemn promises, or even giving his written engagement to repay it: or he may raise loans, and with these loans buy houses and land, and when he dies leave the houses and land purchased with this borrowed money to whom he pleases: and in all these cases the lenders who have trusted to the honour of a peer have no power to touch a shilling-worth of his real estates.—*Black Book*.

## CHAPTER II.

## HONORARY TITLES.

By honour, in its proper and genuine signification, we mean nothing else but the good opinion of others, which is counted more or less substantial, the more or less noise or bustle is made about the demonstration of it; and when we say the sovereign is the fountain of honour, it signifies that he has the power, by titles, ceremonies, or both together, to stamp a mark upon whom he pleases, that shall be as current as his coin, and procure the owner the good opinion of every body, whether he deserves it or not.—*Mandeville*.

I had the curiosity to inquire in a particular manner by what methods great numbers had procured to themselves high titles of honour and prodigious estates; and I confined my inquiry to a very modern period, however without grating upon the present times, because I would be sure to give no offence. . . . . A great number of persons concerned were called up, and upon a very slight examination discovered such a scene of infamy, that I cannot reflect upon it without some seriousness. Perjury, oppression, subornation, fraud, pandarism, and the like *infirmities*, were amongst the most excusable arts they had to mention; and for these I gave, as it was reasonable, great allowance. But when some confessed they owed their greatness and wealth to the prostituting of their own wives and daughters; others to the betraying their country or their prince; some to poisoning; more to the perverting of justice, in order to destroy the innocent; I hope I may be pardoned, if these discoveries inclined me a little to abate of that profound veneration which I am naturally apt to pay to persons of high rank, who ought to be treated with the utmost respect due to their sublime dignity by us their inferiors.—*Swift*.

Titles are but nick-names, and every nick-name is a title. The thing is perfectly harmless in itself; but it marks a sort of foppery in the human character, which degrades it. It reduces man into the diminutive of man in things which are great, and the countefeit of woman in things which are little. It talks about its *fine blue rib-*

*bon* like a girl, and shows its new *garter* like a child. A certain writer, of some antiquity, says, "When I was a child, I thought as a child; but when I became a man, I put away childish things."

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When we think or speak of a judge or a general, we associate with it the ideas of office and character; we think of gravity in the one, and bravery in the other: but when we use a word merely as a title, no ideas associate with it. Through all the vocabulary of Adam, there is not such an animal as a duke or a count; neither can we connect any certain idea with the words. Whether they mean strength or weakness, wisdom or folly, a child or a man, or the rider or the horse, is all equivocal. What respect, then, can be paid to that which describes nothing, and means nothing? Imagination has given figure and character to centaurs, satyrs, and down to all the fairy tribe; but titles baffle even the powers of fancy, and are a chimerical nondescript.

But this is not all.—If a whole country is disposed to hold them in contempt, all their value is gone, and none will own them. It is common opinion only that makes them anything, or nothing, or worse than nothing. There is no occasion to take titles away, for they take themselves away when society concurs to ridicule them.—*Paine.*

## CHAPTER III.

### ECCLESIASTICAL ESTABLISHMENTS.

A RELIGIOUS establishment is no part of Christianity, it is only the means of inculcating it. Amongst the Jews, the rights and offices, the order, family, and succession of the priesthood, were marked out by the authority which declared the law itself. These, therefore, were parts of the Jewish religion, as well as the means of transmitting it. Not so with the new institution. It cannot be proved that any form of church-government was laid down in the Christian, as it had been in the Jewish Scriptures,\* with a view of fixing a constitution for succeeding

\* This may be doubted, and with great reason.



ages; and which constitution, consequently, the disciples of Christianity would, everywhere and at all times, by the very law of their religion, be obliged to adopt.

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The authority, therefore, of a church establishment is founded in its utility: and whenever, upon this principle, we deliberate concerning the form, propriety, or comparative excellency, of different establishments, the single view under which we ought to consider any of them is, that of "a scheme of instruction;" the single end we ought to propose by them is, "the preservation and communication of religious knowledge." Every other idea, and every other end, that have been mixed with this, as the making of the church an engine, or even an ally, of the state; converting it into the means of strengthening or diffusing influence; or regarding it as a support of regal in opposition to popular forms of government; have served only to debase the institution, and to introduce into it numerous corruptions and abuses.

The notion of a religious establishment comprehends three things:—a clergy, or an order of men secluded from other professions to attend upon the offices of religion; a legal provision for the maintenance of the clergy; and the confining of that provision to the teachers of a particular sect of Christianity. If any one of these three things be wanting; if there be no clergy, as amongst the Quakers; or if the clergy have no other provision than what they derive from the voluntary contribution of their hearers; or if the provision which the laws assign to the support of religion be extended to various sects and denominations of Christians; there exists no national religion or established church, according to the sense which these terms are usually made to convey.—*Paley*.

The boasted alliance between church and state, on which so many encomiums have been lavished, seems to have been little more than a compact between the priest and the magistrate, to betray the liberties of mankind, both civil and religious. To this, the clergy, on their part at least, have continued steady, shunning inquiry, fearful of change, blind to the corruptions of government, skilful to discern the signs of the times, and eager to improve every opportunity, and to employ all their art and elo-

quence to extend the prerogative, and smooth the approaches of arbitrary power.—*Robert Hall*.

By engendering the church with the state, a sort of mule-animal, capable only of destroying, and not of breeding up, is produced, called *The Church established by law*. It is a stranger, even from its birth, to any parent mother on which it is begotten, and whom, in time, it kicks out and destroys.—*Paine*.

The only pretence for uniting Christianity with civil governments, is the support it yields to the peace and good order of society. But this benefit will be derived from it, at least in as great a degree, without an establishment as with it. Religion, if it has any power, operates on the *conscience* of men. Resting solely on the belief of invisible realities, and having for its object the good and evil of eternity, it can derive no additional weight or solemnity from human sanctions, but will appear to the most advantage upon hallowed ground, remote from the noise and tumults of worldly policy. Can it be imagined that a dissenter, who believes in divine revelation, does not feel the same moral restraints as if he had received his religion from the hands of parliament? Human laws may debase Christianity, but can never improve it; and being able to add nothing to its evidence, they can add nothing to its force.—*Robert Hall*.

Were any one to ask me what is the duty of the government with respect to religion, I should reply, to endow no particular mode of faith and worship with peculiar immunities or privileges, but to afford equal protection to all. The government owes every subject impartial justice, and this equality of right is invaded, when one form of religion is patronised to the exclusion of others. No man owes any religious service to the state; the state, therefore, has no right to demand any. Government should regard men simply as members of a social compact, formed solely for each other's present advantage. They should, therefore, secure to all the members of the community, the enjoyment of personal freedom, and the discretionary employment of property, together with the inalienable right of fairly examining all religious doctrines, of publicly professing, teaching, and defending them by speech and writing, and of paying public homage to the Supreme Being in the way which the worshipper believes to be

most agreeable to that Being, provided there is no interference herein with the life, liberty, and property of others. This the government should do. But it is not the office of any government to prescribe any creeds and formularies, or furnish any secular inducements to the profession of any faith; much less to inflict any punishment, in any manner or degree, for any conduct considered simply as sin against God. False doctrines, irreligion, infidelity, and atheism, with all kinds of erroneous worship, come under the jurisdiction of the moral government of mankind, and cannot be treated as civil offences, subjecting their authors to temporal punishment. It is true, such sins were punished under the Jewish theocracy by the magistrate. But the case is now quite different. The circumstances of the Israelitish nation were altogether singular and extraordinary. The Divine Being was their king as well as their God. Jehovah was their political sovereign. He gave them laws as a nation, as well as a church. And consequently, a moral offence was a breach of national law, and sins against God were visited with immediate temporal inflictions, as state offences. The judge and the magistrates were commissioned to execute the Divine commands. But such a polity no longer exists, nor can it ever reasonably be made the model of a monarchy. The church of God no longer sustains a national form. Christ repeatedly disavowed all political power, and declined all magisterial and judicial interference. He refused to interpose in any civil affair as arbiter or judge; and maintained the perfect independence of his spiritual kingdom, as a matter quite distinct from every civil polity. The two things under the Christian dispensation were to be preserved separate and apart, and the officers of state can never exercise, as state officers, any jurisdiction in a kingdom totally dissimilar to that to which they belong. They have no authority to punish sin *as such*; but such sinful acts as invade the rights of mankind, or disturb the peace of society, and therefore partake of two natures, and are of a mixed character, unquestionably come under their cognizance, and subject their authors to civil chastisement. Among such offences may be reckoned perjury, theft, every kind of fraud, public drunkenness, gaming, seduction, rape, all the forms of impurity, cruelty to men or brutes, enslaving, murder, and some forms of sabbath-breaking.

The government acquires no right to establish any form of religion from the circumstance that it is the faith of the majority of the people. No civil immunities justly belong to a man for his agreement with fifty in his religious opinions, that do not as equitably appertain to a man who agrees with ten who think otherwise than the fifty on the subject of religion. Nor have these fifty any right to legislate for themselves in religion, so as to oppress or degrade the ten in any way. They have a right to think and act as they please on the subject, provided they do not infringe on the same inalienable right of others. In matters of a purely civil nature, the majority ought to legislate for the rest; and any individual, who has the right of withdrawing from such a community, enjoys the highest possible degree of liberty compatible with the well-being of the state. Every man who voluntarily continues in a society, with the laws of which he is acquainted, is bound to obey those laws. But this has no reference to religious matters, since religion is not a legitimate subject of secular control.

The king has been said, indeed, to be the father of the people; and in this relation it is contended, that he does right in exercising a paternal authority for their religious welfare. But the analogy between a household and a nation is extremely defective. The inequality between parent and child, in reference to knowledge, experience, and judgment, has no application to king and people. In religious matters he possesses no kind of superiority to them; he may be as ignorant, and he is as fallible, as they. He and they are alike under the moral government of God, and responsible to him equally for their conduct while in this world. As a father to the nation, let him administer impartial justice to all, and, in doing it, he must merge all differences of religious opinion. But since he has received no authority, nor possesses any competency, to sway a sceptre over the consciences of men, let him in no way interfere with the prerogative of God.

Unhappily for the world, there has generally prevailed a striking propensity in human governments to interfere with the religion of their subjects; and that not only in minor particulars, but in the important matters of faith and worship. I have hinted at some of the probable causes already. It may have originated, however, in some in-



stances, in mistaken ideas concerning the nature and design of the Mosaic dispensation. I have already said that a theocracy can be no model for a monarchy. While God was the civil governor of the Jewish nation, the priesthood was independent of the human regal power, and superior to it; there were responses by Urim and Thummim, and other miraculous interpositions continually; no cavalry was ever employed or allowed in the army; idolaters, blasphemers, sabbath-breakers, and adulterers, were visited with capital punishments. Some of these things are manifestly impracticable under human government, and others are not thought desirable. If any should argue from the simple fact, that it was a national establishment of religion, and that, therefore, governments now are competent to form similar institutions, I should answer, it is monstrous reasoning to infer that, because God once established a national religion, while His church was national and connected with the civil government, man should construct a national hierarchy, when the church acknowledges no national limits, nor sustains any civil form. Because the Divine Being, in most extraordinary circumstances, under a miraculous dispensation, prescribed the plan and detail of the Jewish church, for the accomplishment of temporary purposes, is it to be thought that men are qualified to compose creeds and liturgies, forms and ceremonies, and empowered to enforce them upon their fellow-men, in the Christian church, which in its circumstances is so dissimilar, in its character so different, and in its designs so much more comprehensive and permanent? Can an establishment that was intended to be instructive by its temporary symbols be taken for a precedent, when the design of every ceremonial and symbolical observance has been accomplished? Or if any part of such a constitution be adopted, why not the whole? Upon what ground do men presume to think that they can devise a better plan, or, by taking some parts of that divine structure, and rejecting others, construct another fabric more pleasing to God? And if this be found impracticable, why not leave the whole as inimitable? The fact is, and all know it, that national establishments of Christianity are impossible, without perverting its very nature; that whatever form they may have, they had no existence till the fourth century; and so far from having any divine original, the only basis

upon which they can at all be advocated, is expediency, a principle quite inadmissible in the Christian church. The silence of Scripture, indeed,—were it silent,—ought to be considered amply sufficient on this subject; for, while the most specific instructions are given concerning the character and work of Christian pastors and deacons, and the conduct of individual Christians in all the relations of life, there is nothing in the speeches, writings, and conduct of Christ and the apostles, that affords the least hint in favour of such establishments. There is no precept for setting them up, there are no instructions concerning their form, and no directions to magistrates in reference to their government; while, on the contrary, there are many declarations in the New Testament, which are directly opposed both to their principle and to their practice.

Instead of establishing one form of religion, and conferring on its professors peculiar honours and immunities, while all others are discountenanced and tolerated upon degrading terms, as is the case in England, some have thought that an universal plan of endowing all sects, or of giving salaries to all religious teachers, of whatever sentiments and name, is the duty of civil government. This certainly is much more equitable than the state of things now existing amongst us, and the dictate of a policy more enlightened than our own. It would doubtless contribute much to the stability and tranquillity of the state, and by avoiding religious partialities, and guarding the constitution against all ecclesiastical interference, the government would render all its subjects its attached friends. An enlightened government, under which all classes are equally free, equally favoured, and, consequently, equally happy, would naturally secure for itself a place in the affections of all. But however admissible this might be upon grounds of policy, it cannot be granted upon principles of Christian truth. For, passing over the danger of some party becoming at one time or other a predominant party, it places the Christian ministry, at once, in a state of dependence upon the civil powers; and, however this may be pleaded for as the basis of superstition and false religion, it can never be admitted in the kingdom of Christ. Ministers of Christ thus supported, as in France, by the civil government, may also be dismissed by that government at its pleasure: or they may otherwise be constrained to subserve

purposes of state, degrading to their character and office, and contrary to their principles and duty.

The funds employed in supporting such a ministry, too, must be derived from the ordinary taxes levied upon the nation, and this is not only contrary to the free and voluntary character of all true religion, but prejudicial to its interests as well as the public welfare, since the people whose happiness is most concerned in the preservation of religion would become supine and indifferent towards a matter for which public provision was made. The history of all endowed churches will afford evidence that this is the fact, while others, entirely dependent upon popular feeling and piety, strengthen the evidence by their growing prosperity.

But there is another objection still more weighty, and that is, that, under this scheme of policy, Christians would be obliged to contribute towards the support of Judaism, Heathenism, Mohammedanism, and all the forms of superstition, which it is their duty, by the use of all moral means, to seek to destroy. And, while they feel themselves bound to employ no other than a moral influence in the propagation of truth, it would be most monstrous to require them to contribute to the civil maintenance of falsehood and delusion. This would be requiring from them the commission of a known crime, and must necessarily create resistance to such requisitions. In fact, were all civil governors to confine their attention to the legitimate objects and ends of civil legislation, leaving religion to take its course by its own power and resources, or lending it their sanction only in a moral respect, they would best secure its real interests, and furnish less occasion for disaffection in any class of their subjects.

But if so many weighty objections exist against such a mild form of a religious establishment, how many more powerful arguments offer themselves to an attentive observer, when contemplating the much less eligible state of things existing in our own country. While the government can neither make truth of sentiment, nor prescribe certain propriety in the mode of worship, they have demanded the absurdity and impossibility of entire belief and perfect obedience, under the sanction of heavy pains and penalties. See an act of 32 Hen. VIII. cap. 26.

The history of the world shows that kings, courtiers, and

statesmen, have not been the most competent persons for the discovery of divine truth, for ascertaining the meaning of the Scriptures, or for knowing the holy and perfect will of God. The reverse of this is awfully true. Indeed, the efforts of such persons must always be very prejudicial to the cause of divine truth. For, if what they establish happen to be true, mankind are taught to receive it upon grounds infinitely inferior to its own proper evidence—divine authority. And if it be false (a thing not unlikely) a multitude of powerful prejudices and interests are instantly arrayed in the support of error, and consequently against the truth and holiness of God. The natural and direct tendency of all such measures, indeed, is to make men mechanical formalists, or conscious hypocrites. The honours, emoluments, court-favour, &c., offered to the conforming party must always be powerful inducements to men of worldly minds, and no principles of stern integrity. While others, more conscientious, who revere the authority of Christ, reject all usurpations of his prerogative, maintain the inalienable rights of men, and exercise a becoming independence of thought, are reviled as “weak in intellect,” “perverse in temper,” “misdirected in piety,”\* and disaffected to government. The principle upon which any one sect is thus indulged, is flagrantly unjust, moreover; for, while the funds of the community are thus most unreasonably appropriated, all other parties, who, originally considered, have equal rights, are defrauded of their natural inheritance. And, while these classes have generally been the most thoughtful, reading, informed, virtuous, and useful part of the community, they are degraded by law, subjected to many vexatious petty persecutions, liable to many negative penalties, excluded from the national seats of learning, prevented from aspiring to stations of honour and public utility, and intolerably insulted by being told that they are suffered to exist, and tolerated to obey God in matters in which it would be a sin to render any obedience to man!—*Remarks on Religious Liberty.*

The blending together of Church and State as under establishments, is productive of the most serious evils. While it renders the clergy completely servile in every thing political, it invests them with no inconsiderable power

\* Blackstone.



to injure all who dissent from their fellowship; and experience shows, that they are sometimes prepared to use their power for the very worst ends. Numbers of them cannot endure a free church, and never does an opportunity occur, but they try to work on the jealousies of government to distress it. They tell us, indeed, in the language of Scripture, that the weapons of their warfare are not carnal; that they have no dominion over the faith of their brethren, nor are lords over God's heritage; but he who shall rely on these declarations, will soon find that he is very imperfectly acquainted with human nature, and that, when the interests, and passions, and prejudices of clergymen are excited, his best security is, their wanting power to do evil.

Every page of history is a record of the influence of established clergy to prejudice government against their antagonists. Even our Saviour himself fell a victim to this favourite line of policy, when the civil magistrate was determined to let him go. "Ye have brought this man unto me," said Pontius Pilate, "as one that perverteth the people, and behold, I, having examined him before you, have found no fault in this man touching those things whereof ye accuse him; no, nor yet Herod, for I sent you to him, and lo, nothing worthy of death is done unto him." The Jews, however, stirred up by the chief priests—the principal clergy of the Established Church—cried out, saying, "If thou let this man go, thou art not Cæsar's friend; whosoever maketh himself a king, speaketh against Cæsar. When Pilate, therefore, heard that saying, he brought Jesus forth, and sat down in the judgment-seat, in a place that is called the pavement. And it was the preparation of the passover, and about the sixth hour: and he saith unto the Jews, Behold your King! But they cried out, Away with him; crucify him. Pilate saith unto them, Shall I crucify your king? The chief priests answered, We have no king but Cæsar."

It is hardly necessary to advert to the conduct of the established clergy a few centuries ago, when the authority of the state was in a great measure in their hands. The events of that period have taught the world a lesson which it never will forget, and shown that no deed is so cruel, or crime so atrocious, or fraud so nefarious, which an established clergy, unawed by superior power, are not capable of per-

petrating. It will be more to our purpose to mention less remote examples. What is the conduct of the established clergy of England to those who separate from their communion at present? That they should explain and recommend the principles of their church, and stir up their friends to comply with her instructions, that the public may honour her institutions, are measures which no one can blame. But do they confine themselves to these? Are they not incessantly using their influence with government to withhold from their opponents the most valuable rights? Are they not endeavouring to maintain one law for Churchmen, and another for Dissenters? And does not every concession which the latter obtain, proceed from the government in opposition to their wishes?—*Ballantyne*.

The religion of Christ is the most simple thing in the world. His church was formed on the plan of the Jewish government, either of the state, temple, sanhedrim, or synagogue; not on that of any other state, either of Rome or of Athens. The decree of the Christian church at Jerusalem, called by mistake the first council, was not enforced by civil authority. Canons, in the primitive church, were devoid of coercion; the emperor Justinian adopted them, and metamorphosed them into civil law. There were in the primitive church no coercive powers; particular churches were united only by faith and love; in all civil affairs they were governed by civil magistrates, and in sacred matters they were ruled by the advice, reasons, and exhortations of their freely-elected officers. Their censures were only honest reproofs, and their excommunications were nothing more than declarations that the offenders were incorrigible, and were no longer accounted members of their societies. The term hierarchy was unknown, and hierodulia would have been the proper description then: it was a spiritual kingdom, not of this world.

One would imagine from the veneration in which this "holy alliance" [of church and state] is held by some, and the fiery zeal with which it is supported by others, that the great Founder of Christianity, or his chosen disciples, had recorded it as with a sunbeam, not only that his kingdom should be incorporated with, and form a part and parcel of, the political constitution of every country, in every succeeding age of the world; but also that any attempt to prove that it would flourish, or could even exist,

apart from such combination, could be the act only of a leveller, an enthusiast, or a madman: and that, in fact, it constituted the very pith and marrow of that crime, "which hath no forgiveness in this world or in that which is to come."

On the contrary, the writers of the New Testament expressly declare, that Christ's kingdom "is not of this world;" and that he has "chosen" his subjects "out of the world." Is it not then manifest that the affairs of such subjects, and of such a kingdom, can never be properly managed by men, who, it is no breach of charity to say, are in general but too obviously under this world's dominion; of men, who are no more capable of understanding the wants, and sympathizing with the members of the church of Christ, than they are of legislating for a world of whose existence they have not the shadow of an idea; of men, who are not more qualified to rule the church militant, than, it may be feared, they are to reign in the church triumphant?

But while it is allowed on all hands that the New Testament nowhere authorizes this anomalous combination of civil and ecclesiastical authority, some have pretended that its adoption is justified on the ground of Jewish precedent; forgetting that it pleased God to rule the church and nation of the Jews under a theocracy, a mode of government which involved a direct and unprecedented communication between him and the "ruler of his people;" and unless those who advocate this opinion are prepared to prove that the Great Eternal has continued to communicate with secular princes, since the commencement of the Christian era, as he was wont to do with Moses or Joshua, they will fail to show that the requisite analogy exists between the two dispensations: and he who attempts to form the Church of Christ on such a model, while he neglects the plain and positive directions given in the New Testament, for the erection of the spiritual edifice, lets go the substance while he grasps the shade.

I would ask, does not the page of history demonstrate, beyond the power of contradiction, that almost all the great and violent changes and revolutions which have desolated christendom, and engulfed so many crowns and sceptres beneath their ruins, since the days of Constantine, have been the natural consequence of one continued effort to

unite "the things which are seen and temporal," with those "which are unseen and eternal?" to combine kingdoms, each of which is composed of elements so essentially different and distinct from each other, that, to make their contending principles coalesce, the varied and reiterated experiments of the clerical or political chemist have ever been made with about as much probability of success, as would have attended their labours, had the properties of the philosopher's stone been the subject of their speculation? Has it not invariably happened, whenever the reigning prince has cast what has been construed into a too indulgent look upon those whose consciences have forbidden them to subscribe the chartered creed, that the privileged legions, lay and clerical, but especially the latter, have generally raised about his ears such a storm, as has made him for ever rue an act of horrible apostacy? If, on the other hand, "holy mother" should have again succeeded in whipping or wheedling him into her incestuous embraces; a system of profligacy and despotism has ensued and increased, till the people, till all who shared not in the common spoil, no longer able to bear the galling and oppressive yoke, have burst their bonds asunder, and for ever despoiled the priest-ridden tyrant of his abused authority, or perhaps dispatched him, "without benefit of the clergy," to another world.

But if the mixed constitution works ill for the prince, it almost necessarily follows that it cannot work well for the people. Its is a curse to its friends as well as its enemies, and no portion of society escapes its desolating ban. It not only sets the Churchman against the Dissenter, and the Catholic against the Protestant, but "its foes are even those of its own household;" the clergy and the laity having in their turns worried each other with a ferocity which perhaps has never been surpassed, even by those whose creeds are "wide as the poles asunder."

To compel every other class of religionists, that is to say, (if we make England the example,) one half of his Majesty's subjects, to support the church and creed adopted by the dominant sect, is clearly an act of injustice, and forms part and parcel of the system which has produced all those jealousies and animosities, which have so long scourged the fairest portion of the globe, and which have prevailed in these islands to an extent which has often shaken



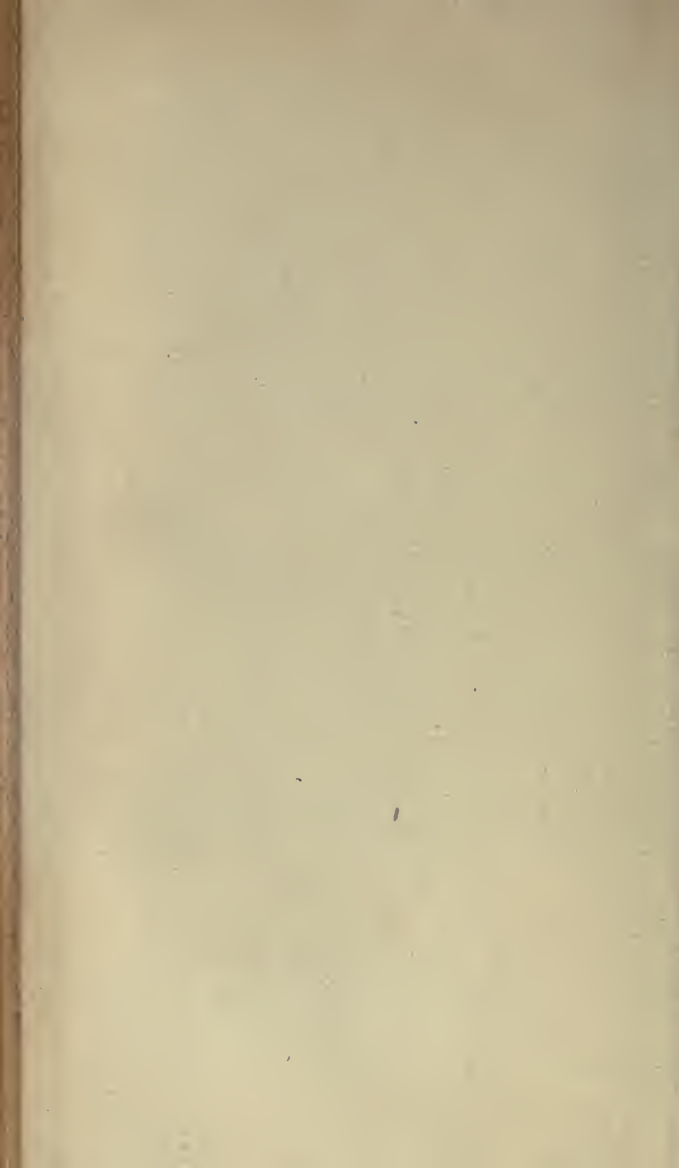
the British throne to its centre, and even levelled it with the dust.

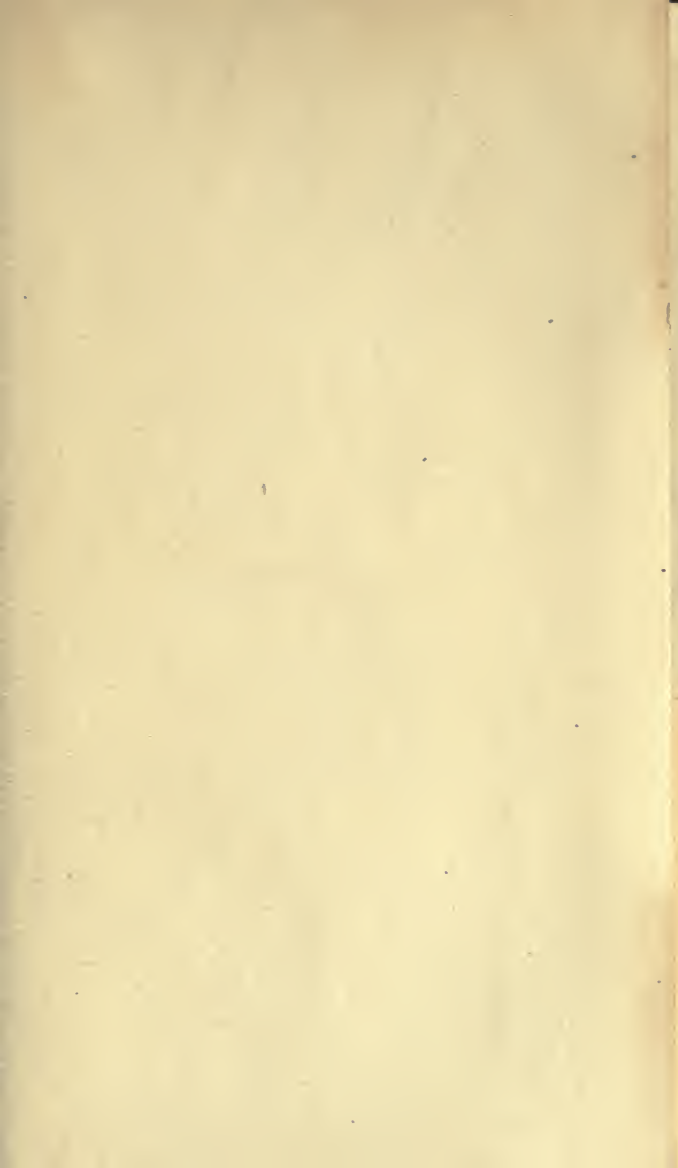
In England, I know of no cause which has been more mischievous to society than our "excellent establishment." As I have before observed, it is no uncommon thing to find the rector and his parishioners in a state of open warfare. The worthy pastor is suing his flock for "the bread that perisheth," instead of feeding them with "the bread of life." Indeed, the clergy never appear to have been in a worse odour than at the present moment. I beg to remark, that this is a state of things not mentioned for the purpose of indiscriminate censure, for the parties are sometimes much to be pitied, but of holding up to public and merited execration the system which has produced it.

But if this is the result of ascendancy in England, what shall we say of Ireland? It seems that four-fifths of her population, to say nothing of other Dissenters, are Roman Catholics. It is therefore probable that not one person in six requires, or will accept, the spiritual services of the established clergy in that part of the united kingdom, although the church revenues are more than sufficient pay for the religious instruction of the whole. The consequence of which is, that while these enormous resources are sometimes applied to worse than useless purposes, this half-starved population, at the same time, have to support their own clergy; and yet we seem to be astounded that they are crying out for a repeal of the Union, as much as if their grievances were only *imaginary*; and political quacks are prescribing for a disease in the body politic, without having discovered, unless indeed they are affectingly ignorant, the seat of disease.—*The Evils, Political and Moral, arising out of the Unnatural Union of Church and State.*

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